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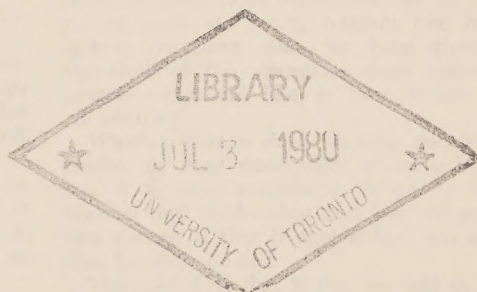
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Official Report (Hansard)

3.
Standing Committee on Social Development
Estimates, Ministry of Health



Fourth Session, 31st Parliament
Wednesday, June 4, 1980

Speaker: Honourable John E. Stokes
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

WEDNESDAY, JUNE 4, 1980

The committee met at 1:48 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF HEALTH (continued)

Mr. Chairman: I call the committee to order. I believe the Minister of Health has some information asked for by the committee.

Hon. Mr. Timbrell: Mr. Chairman, there are a variety of things. First, I want to table with this committee the material which was sent to the standing committee on public accounts on the matter of health service organizations; a chronology, a series of pieces of data, and so forth.

Also, there was a question I think Mr. Conway raised about the figures in the ministry's submission to the Hall commission; how we arrived at total health spending being 31 per cent of provincial spending.

We have here a list of health related programs that are in other ministries, pretty well all of which at one time or another were in Health before they were hived off. That is available.

Then there is the question of the numbers of people who are in receipt of full or partial payment assistance as of January 1, 1980. I think that clears us up as far as data or information is concerned.

Mr. Chairman: As I understand it, the steering committee had a meeting.

Mr. Conway: Yes, Mr. Chairman, the steering committee did meet, happily and expeditiously.

With the exception of three references—ambulance services, the one dealing with health service organizations and Mr. Breaugh's concern and interest in the preventive dental programs he has spoken of—we decided that we would try today, with your concurrence and the agreement of the committee, to clean up everything else; or at least allow an opportunity for people to speak to all other votes.

That would leave us roughly six hours for next week, which we thought would be

useful to divide into three two-hour sections. We would deal with HSOs on Monday, the ambulance vote on Tuesday and the preventive dental programs on Wednesday. There was some discussion, just after we convened here, that since Mr. Breaugh is not going to be able to be here on Tuesday we might just not sit Tuesday and do everything on Monday and Wednesday. That is perfectly agreeable to me.

Hon. Mr. Timbrell: Wouldn't that upset your timetable for those six hours? You would end up sitting part of those afternoons. We all have other commitments backed up while we are sitting in committee, so it just frees up an afternoon; that's all.

Mr. Breaugh: I am in agreement that the matters we have identified as crucial are those we want to set aside, and that we want to set aside six hours, roughly two hours apiece, for them. Also, we have given to the clerk of the committee some names of people we would like to have before the committee.

Whether that is done Monday and Wednesday or over three days is irrelevant to me. It is more convenient to me to do it Monday and Wednesday, and I would prefer that option. If that is agreeable, I am more than happy to do that.

The upshot of that is that we will do the remainder of the items this afternoon, and we will ensure that six hours are left in the estimates to take care of the others mentioned.

Hon. Mr. Timbrell: Shall we say two hours on Monday and four on Wednesday?

Mr. Breaugh: That is agreeable to me.

Hon. Mr. Timbrell: It is, of course, in the hands of the committee and yourself, Mr. Chairman, but I have the same reservations and concerns I expressed before. I have been thinking all last night and this morning about your ruling and the fact that you found reservations even among the people you consulted.

I understand that the matter is going to be addressed by the House leaders tomorrow.

row. However the committee decides to deal with the matter today, I wonder if any actual invitations could wait until the House leaders consider the matter when they meet tomorrow morning.

Mr. Conway: I don't care a tinker's darn whether the House leaders ever meet.

Hon. Mr. Timbrell: They are going to be discussing it anyway.

Mr. Breaugh: I would like to respond briefly to those remarks. Whatever deliberations the House might have, they carry no weight in this committee, for all of their wisdom. The chairman of the committee has the same rights and prerogatives as the Speaker of the House. He has made a ruling. The committee has accepted that ruling and will proceed. I am sure that the House leaders will have something to say and we will all hear about it. But I do not anticipate it will change my mind a bit.

Hon. Mr. Timbrell: It is exactly because the chairman is in the same position as the Speaker, who would not allow a stranger in the House, that the House leaders are going to look at the question.

Mr. Kennedy: In the steering committee I expressed some of this concern. I, too, Mr. Chairman, dwelt on it overnight and it is true I recall Phil LeBlanc coming here before the committee, I do not know on what terms or conditions; I have forgotten now. But I am told it was during a time of estimates—

Hon. Mr. Timbrell: It was.

Mr. Kennedy: So there is a precedent for one, and there may be other very special incidents, and now we have escalated to this, to having four witnesses come, and I express this concern. We have something like 70,000 civil servants and the spinoff from that is considerable. Our estimates, of course, include grants to municipalities, to just about every facet of Ontario life. I raised this concern, which was acknowledged by my two associates on the steering committee, as to where this escalation takes us.

There was a day when the Treasury benches responded only to the Legislature with a deputy minister, as they do now when the House committee of supply is sitting. The matter of funding and budgets and government funds is a very sensitive and critical part of the whole life of a parliament. Now we are dealing with the same subject matter, estimates, and the involvement is growing out and out and out.

The vehicle by which we always dealt with public involvement in the past, other than a

few exceptions, has been through the areas of standing committees or select committees or special committees, all manner of things—even election platforms, 37 days at a time or more.

This concerned me and I think we should, as a committee, ensure that it is addressed in these terms to the House leaders and just see what the implications are.

Mr. Chairman: I see the point, Mr. Kennedy. That is why I suggested yesterday, when I concluded, that this whole matter of external witnesses before committees be sent to the procedural affairs committee. That committee can study the matter, review it, the House leaders can consult and make recommendations; they have a vital part to play in the operation of the House and in the operation of the committees, but how we proceed with this referral, these estimates, I do not think will be affected in any way by what eventually transpires at the procedural affairs committee or indeed with the House leaders.

At this point, we proceed and if we have other advice from the House, if a decision is made contrary to what we are doing and the method by which we are proceeding, then the committee will deal with that at the appropriate time.

You are right, Mr. Philippe LeBlanc did come before the committee; he was at that point not an employee of the Ministry of Culture and Recreation; he was an ex-employee in the private sector, but he did have some information which the committee thought was of interest and vital to the consideration of the estimates at that time.

There have been other circumstances where witnesses have come before the estimates committee and there has been no problem, because everyone agreed.

Mr. Kennedy: Dr. Winegard.

Mr. Chairman: Dr. Winegard is another example. There are a number of examples over the past two years I can recall where witnesses have come at the request of the committee, and in most cases at the suggestion of the minister, so there was no problem. In this case reservations were flagged as to what he should be doing in this respect, and hence the ruling I gave yesterday.

Mr. Kennedy: You make an excellent point about Father LeBlanc. He was, at that stage, even beyond—

Mr. Chairman: He was beyond the terms of reference I laid out yesterday.

Mr. Kennedy: Dr. Winegard, of course, is quite close to the ministerial scene.

Mr. Chairman: Yes, and would fit within the confines of what I said yesterday.

Mr. Kennedy: I would say so, but we will have pretty long estimates if we are going to hear from everybody who has a government interest.

Mr. Breagh: On the point the minister raised about spying strangers, if that point is pursued I think I could spy a few strangers in this room.

2 p.m.

Mr. Kennedy: It is a public meeting.

Mr. Breagh: That is not the point the minister raised.

Mr. Kennedy: It is not the one you are raising either.

Mr. Breagh: The point the minister raised is that the House leaders are going to point out you can spy strangers in the House. We have never spied strangers in committee but there are certainly lots of them in here.

Hon. Mr. Timbrell: The House procedures, of course, provide for key people, specifically to be there, and the others to be in attendance in the gallery. I am not trying to be difficult. I think it is important enough, as I said last week and yesterday, to be looked at very seriously.

Mr. Breagh: That is why we are taking it very seriously.

Hon. Mr. Timbrell: The committee will order its business as it sees fit until such time as the House indicates otherwise.

Mr. Chairman: That is why I suggested—

Hon. Mr. Timbrell: That is why I was just suggesting a meeting—

Mr. Conway: I stand four-square by your excellent resolution of the matter, Mr. Chairman. We should proceed in spite of and in the face of these rearguard actions, which owe more to the concern of the cabinet office than anywhere else.

Mr. Kennedy: No, they do not. What do you mean by that?

Mr. Chairman: I do not think we should escalate it any further. We will let it rest at that. I think everybody understands the position. We will carry on from there.

When we left yesterday we were at 3202, item 6; and Mr. O'Neil had the floor.

On vote 3202, institutional health services program; item 6, institutional care services:

Mr. O'Neil: I had a question of the minister. He was going to give me some information today.

Hon. Mr. Timbrell: Which one was that? I am sorry.

Mr. O'Neil: We were talking about the problem they had at The Hospital for Sick Children. I had said I had heard some rumblings about a similar problem at the Sudbury hospital.

Hon. Mr. Timbrell: I am sorry, I did ask the staff yesterday to see if they could find the case that I was trying to recollect in Sudbury. They have not found any such case yet, so by Monday we should have a definite answer as to whether it exists or not. But they have not been able to find it.

Mr. O'Neil: If you do not, I will tell you about it. I would appreciate finding out what I can on the background of the case. I would like this as soon as possible.

Hon. Mr. Timbrell: It could be this one did not—

Mr. O'Neil: This one you would remember.

Hon. Mr. Timbrell: In a coroner's inquest—I recalled one from Sudbury that the staff are trying to track down.

Mr. O'Neil: You will have that information by—maybe Dr. Dyer—

Hon. Mr. Timbrell: This has to do with the death of one Timothy Deforge. Is that the one?

Mr. O'Neil: It could be. I do not have the name handy.

Hon. Mr. Timbrell: This was a child from Sudbury. It was a case back in the fall of 1978.

Mr. O'Neil: Where does it stand now; who is dealing with it, or has it been dealt with?

Hon. Mr. Timbrell: In this one the coroner's jury assessed no blame in the death. They did recommend that a CAT scanner be made available in Sudbury and, in fact, a CAT scanner had already been announced as being available, as I recall, before the incident, never mind before the inquest.

Mr. O'Neil: Did it go to the Health Disciplines Board?

Hon. Mr. Timbrell: I do not see any reference to the Health Disciplines Board. If you can get the name, there may well be one that did not go to an inquest. I do not know.

Mr. O'Neil: Okay. Fine. Who would be the one to talk with on that—Dr. Dyer?

Hon. Mr. Timbrell: Dr. Dyer.

Mr. O'Neil: Dealing with podiatrists, where does that stand now so far as the ministry and their policy—

Hon. Mr. Timbrell: We discussed this twice last week. Essentially it is very simple. The podiatrists will continue to operate in

Ontario exactly as they do now. We will be introducing into Ontario chiropody, which will be institutional based and health unit based, providing foot care services without direct charge to the public.

Mr. Conway: Have you notified the podiatrists of that intention specifically?

Hon. Mr. Timbrell: As I indicated last week, I think they are well aware of it. What has been under consideration, and cabinet has not concluded on this, is whether or not there is a cutoff date after which no new podiatrists will be registered in Ontario, or whether it is left completely open.

The official position of podiatry and their public relations counsel is that, instead of introducing chiropody, we should have podiatry totally, which is not something that has been recommended by any of the reviews of foot care services conducted in the province, whether it be the Committee on the Healing Arts or the Ontario Council of Health task force on health care for the aged or others.

Mr. Conway: Sorry, I just want to clear this up. I know you have a regular dialogue with such groups as the podiatrists, but have you informed them specifically that this is the intention of the ministry and that you will be moving—

Hon. Mr. Timbrell: And that they will carry on as they are.

Mr. Conway: I think everyone is aware that there is this chiropody-podiatry dialectic and in a sense you are saying what you said last week, that the government has decided you will be opting for the chiropody model within an institutionalized setting; in the health unit or the clinic unit or the hospital.

Hon. Mr. Timbrell: Hospital, yes.

Mr. Conway: Have you informed them of that specifically?

Hon. Mr. Timbrell: Yes. In the discussions a variety of suggestions have gone back and forth and questions about their scope and so forth. Some of them, perhaps because their official position is that they would like us to go in a completely different direction, are still opposing that.

Mr. O'Neil: You are saying the information you have would not allow you or you have decided not to do that?

Hon. Mr. Timbrell: That is right. All the reviews that have been done have concluded that we do not need another branch of medicine, so to speak. What we need are the skills of chiropodists in basic palliative care of the feet.

So in 1976 or 1970 or whichever year the Committee on the Healing Arts reported, and in 1978 when the task force on health care for the aged reported, our own discussion paper we put out in 1977 basically came down on the side of chiropody, which will be on the basis of the salaried positions in the health units and hospitals, not fee for service and not private practice, which will continue to be the case for podiatry.

Mr. O'Neil: Okay; there is one other matter I wanted to raise. I know you were saying you are going to discuss different matters; actually I suppose it would come under health programs, but it does come under institutional care services because it deals with hospitals. I know it is a matter that has been raised with me in the Trenton-Belleville area by some of the people dealing with the Victorian Order of Nurses or who are on the VON boards.

There seems to be a fear with some people that gradually the VON is being phased out and they are wondering about some cases where the hospitals are taking over, such as in the chronic home care.

Hon. Mr. Timbrell: The staff will correct me if I am wrong, but I believe the VON is running virtually every one of the chronic home care programs. Isn't that right, Dr. King?

Dr. King: Every one but three.

Hon. Mr. Timbrell: Three. They are running or administering most, anyway. So, if anything, the role of the VON is expanding in the province.

Mr. O'Neil: Another problem expressed by some of the VON board members was that when you go into an area and tell the VON they will be looking after the chronic home care, sometimes they are not given too much of a warning on this. In other words, they could go in within a matter of days or weeks and this seems to have happened in some cases.

Hon. Mr. Timbrell: They got days' or weeks' notice to run chronic home care?

Mr. O'Neil: This is what I have been told. How much notice are they being given that they are going to have to take this over? What allowance is being made financially for them to look after this as far as additional cars, staff, facilities and things along these lines are concerned? If somebody could explain a little bit of this to me, I would appreciate it.

Hon. Mr. Timbrell: All right, we have been giving roughly three to four months' notice to the health units.

Mr. O'Neil: Of course, we don't have a health unit in the Quinte area.

Hon. Mr. Timbrell: Oh yes, you do.

Mr. O'Neil: I am sorry, we don't have a health council.

Hon. Mr. Timbrell: No. The notice goes to the health unit because it is through them the moneys are flowed for acute or chronic home care, so there is plenty of notice before the startup.

Most of them have found, even with that amount of notice—not so much in the nursing area perhaps, but they have to recruit physiotherapists, speech therapists, occupational therapists and so forth. Some of them have found it takes longer than that to get the whole program in place, but they always meet their startup dates and a few months afterwards are running 100 per cent. I cannot think of anywhere in the province where any of them would have had—

2:10 p.m.

Mr. O'Neil: Less than three or four months.

Hon. Mr. Timbrell: That is right.

Mr. O'Neil: Is there a study going on, saying which areas will be given—

Hon. Mr. Timbrell: Yes.

Mr. O'Neil: Where does that study stand?

Hon. Mr. Timbrell: A paper will be going to the cabinet committee on social development in a couple of weeks.

Mr. O'Neil: A study of the whole province as to—

Hon. Mr. Timbrell: A proposed schedule for when it will be phased in across the province.

Mr. O'Neil: How long before it will be made public, approximately?

Hon. Mr. Timbrell: It depends on how the social development committee disposes of it, but I had hoped by now, frankly. So, as soon as we can get it through them and through cabinet and management board.

Mr. O'Neil: But many areas right now have the VON looking after the chronic home care.

Hon. Mr. Timbrell: Or acute. There are many areas where they are looking after the acute home care too.

Mr. O'Neil: In other words this study going for approval is a study of the total province?

Hon. Mr. Timbrell: It is a proposed timetable for phasing in the chronic home care in the balance of the province. Remember in the throne speech there was a commitment to phase it in across the province totally

within two years. It is starting up on July 1 in the northeastern health unit—Essex, Muskoka, Brant and Windsor—Essex. That is part of the proposal that is before CCSD.

Mr. O'Neil: When this proposal is approved before cabinet, will that be made public so that all these areas will know exactly when they are going to be phased in?

Hon. Mr. Timbrell: Not only those areas, because this will mean a significant addition of nursing and allied help personnel; it will help the schools and undergraduates plan better for what is going to be introduced.

Mr. O'Neil: So that will tell them approximately when they will be brought in. Does it also tell them, as far as the financing and all these other things go, how they are going to be assisted in each area? How detailed is the study?

Hon. Mr. Timbrell: I do not anticipate that it will indicate the budget amounts at that point because that basically has to be worked out with the health unit or the responsible body. Metro is the one exception. In Metro there is a separate board that runs home care for all of Metro, rather than the six health units doing it.

Once approval is announced, the local health unit is responsible for submitting a budget and then that is worked out. Sometimes they include things we think are too high or inappropriate, but it is eventually worked out so the program gets going.

Mr. O'Neil: You are saying in most cases this chronic home care is handled by the VON but in some cases it is not.

Hon. Mr. Timbrell: It is a decision of the local health unit as to whether they will run it themselves or whether they will engage the VON.

Mr. O'Neil: I see.

Mr. Conway: I have a supplementary. I do not have a clear idea in my mind as to what typically is involved with a program such as you have described. What personnel and management will it require?

Hon. Mr. Timbrell: Maybe I had better ask Dr. King if he would come forward and describe that.

Mr. Conway: Let us take a region in which none is presently available. What are we talking about in new commitments?

Dr. King: Very simply, the home care program is an agency that purchases services already existent or mobilized in the service area, and specifically the Victorian Order of Nurses, almost without exception, sells to the local home care program all the visiting

nursing services in the home care programs across the province. I say almost without exception; there are just two or three areas where the VON branches are not in existence, but where they are in existence it is a working arrangement that they will supply the visiting nursing services.

The other services, such as physiotherapy, occupational therapy, homemaking support services, again are purchased from existing services. The homemaking component, which is the other major component of the program, is traditionally purchased from the existing homemaking service of the Canadian Red Cross Society.

In essence the local program organization is simply a co-ordination, organizational nucleus, a local program manager and one, two or three, depending upon the population served, co-ordination people who are stationed, not only in the community but traditionally in the hospital based areas.

Again depending on the size of the hospital, the home care program may be a few hours a week or it may be half time or it may even be, in a large metropolitan hospital, full time. These people act as the go-betweens, between hospital based patients who, at the request of the attending physician, are referred to home care. The co-ordinator assesses the patient's needs and available services that can be applied and arranges for the laying on of the service immediately on discharge of the patient. This usually takes from a few hours to, at the most, 24 to 48 hours from the time the physician requests home care.

That, in essence, is the overview of the program.

Hon. Mr. Timbrell: Your program, of course, is one of the exceptions in that the Belleville General Hospital runs a program and there is one other hospital that runs one.

Dr. King: There are two other hospitals, the Parry Sound District General Hospital and the Huntsville District Memorial Hospital.

Mr. O'Neil: It gets to be a problem at the Belleville General Hospital.

Mr. Conway: Assuming that you go in with a co-ordinating team, is the sort of manager you are talking about a nurse, a medical person as such, or an administration person more likely than not?

Dr. King: In actual practice and by tradition, and since the program in its present form evolves from earlier beginnings on an informal basis, that person is a nurse. But we are attempting to assume the view and to

spread the word that nursing is not necessarily a prerequisite of the position but rather simply a health service background and that management or administration is the fundamental and important skill.

Mr. Conway: So it is not unreasonable then—as coverage becomes province-wide—that you would be looking for non-nursing types to take the position as manager in a given unit.

Dr. King: Exactly. There is no reason, for example, why a physiotherapist with administrative skills or an occupational therapist or any other health discipline might not fill that role in any local program.

Mr. Conway: But you would be looking for people with a health background.

Dr. King: Or with administrative training in the health area.

Mr. Conway: The reason I am asking is simply to know what, if any, link exists between the commitment to expand this on a more general basis and your manpower situation, if you expect to create a great number of new positions of a previously unheard of kind—and obviously you are not. You are talking about recruiting from the traditional pattern.

Dr. King: That is right.

Mr. O'Neil: What you are talking of in this case is a little different setup from the Belleville General Hospital handling it. How do you see the future there? Do you see any conflict? In other words, the Belleville hospital or any other place that runs one would put it out to the VON to look after the service and—

2:20 p.m.

Hon. Mr. Timbrell: That is likely the case. Dr. King was over in Denmark and the UK last year looking at their programs. As I recall, in the UK essentially there isn't the distinction between community help and institutional help there is here. There they are very much intertwined and the hospitals basically run the whole home care program.

Dr. King: Except that the personnel who work in the community and outside the walls of the hospital are selected people who have an orientation to that type of area in which they work. I say this rather cautiously. There is a predilection for certain people to work within an institution's four walls as opposed to people who are a little more mobile and perhaps a little bit more flexible and work with a little less direct supervision when they are out in the field.

So the programs in the field, which include home care, seem to attract and to be operated by or involve people with a slightly different *modus operandi* from those in the institutional setting.

Mr. O'Neil: I would ask the minister then, just as a reassurance to the VON across the province: there is no intention of diminishing their role and, in fact, the role will be increased because of this chronic home care coming in. That is the assurance we have.

Hon. Mr. Timbrell: That is right. I have so indicated to them several times personally, speaking at their annual meeting on one occasion, and at meetings with their board on at least one if not two other occasions.

Mr. McClellan: Could I just ask a supplementary question, as much of academic interest as of political interest, of Dr. King? What is the relationship in Great Britain between the home care system and the local authority councils and social services committee? Is there a relationship, is it incorporated into the Seebohm reorganization or are they separate?

Dr. King: I am not too familiar with the terms you are using. But as I perceived it in Great Britain, the unfortunate lack of working relationships between socially oriented services as opposed to health seems to be just as prominent there as it is in this country.

Mr. Conway: There is obviously a disparity across the province, in the sorts of service groups you would traditionally establish, as to from whom you would contract. What happens in the case where you might not have in a given region, or is it never the case, those sorts of bases that you identified as the ones you would be depending upon? What do you do then?

Dr. King: When a program is newly introduced or substantially expanded in a given area, part of our procedure is to exhort the local program people to recruit, uncover, discover, necessary resources that may comprise the normal profile of resources you would expect. If they are not readily apparent, then steps are taken to encourage their appearance on the scene, either by widely advertising across the province or by more diligently combing and beating the bushes.

If the service is not obtained—let me say, for example, that this was in a comparatively rural and remote area and there were no physiotherapists available in the area—then the service is just not available. The patient needing that particular service is not admitted to the program.

Mr. Conway: And are they given any option?

Dr. King: Whatever option there is, it certainly is not home care if you cannot deliver the service.

Mr. Conway: So it would be institutional in the absence of any—

Dr. King: Yes. I might, just for example, point out that speech therapy is in very short supply across the province, tending to congregate in the built-up areas.

Mr. Conway: Would you then, in your role as the Ministry of Health, undertake such measures as would be required to deal with that kind of shortage? Would you, for example, recognizing a speech therapy shortage or maldistribution, or both, undertake to recognize this as a real problem and try to do something about it? Do you see that as part of your responsibilities?

Dr. King: Not specifically mine, but perhaps some other part of the ministry.

Hon. Mr. Timbrell: We have done that in some areas. I was going to say too in some areas, of course, we have developed day hospitals, or hospitals have proposed it and we have approved the development of day hospitals that end up providing, on an out-patient basis, many of the same kinds of services. That is not instead of chronic home care but in the absence of it. It relieves a lot of the pressures.

One of the first day hospitals that was set up was at St. Mary's of the Lake Hospital in Kingston, which is still very active, even with the introduction of the chronic home care program; but in the absence of the chronic home care program I would think it did answer some of the more pressing needs.

Mr. Rowe: Could I ask a question? That was one of the pilot projects for the chronic home care programs—

Hon. Mr. Timbrell: It is no longer a pilot.

Mr. Rowe: What are the limitations on service that is available to a person when he is sent home from the hospital? Is it still just so many days? How does that work now?

Hon. Mr. Timbrell: Dr. King can perhaps answer that. It might be helpful if you discussed both acute and chronic, Dr. King, so there is no confusion.

Dr. King: This is an area in which there has been confusion over the years. It seems to be difficult to dispel.

There is no prescribed limitations on professional services in the acute home care program. The limitation of service, if there

is one, is dependent upon the patient's recovery from the specific prevailing condition.

The social support homemaking service provides, under the short-term acute home care program, for a maximum of 80 hours per patient per episode of illness, or per admission if you will. This was a limitation adopted after careful study of a number of sample communities in the province some years ago. It was observed that the average need was in the vicinity of 40 to 45 hours, so 80 hours was felt to be a reasonably generous allowance. The prevailing need continues to be fewer than 40 hours per patient on the average.

In the chronic program there is again a limitation on the homemaking hours, but it is extended on a monthly basis. Eighty hours is available in the first month and 40 hours in the second and subsequent months. Apart from that, there is no limitation on the available service, except that there need to be three professional service visits a month as a minimum requirement for eligibility for admission to the chronic program.

This requirement can be met by three visits by the same discipline, or it can be a mix of three professional visits. In other words, there could be one nursing visit, one physiotherapy visit and one occupational therapy visit, if that were the order of the day for that particular patient. When the need for that particular patient falls below the level of three professional visits per month, then other arrangements are in order.

Mr. O'Neil: What if they require more than three?

Dr. King: More than three visits is no problem; the sky is the limit, so to speak. However, the home care concept is deemed to incorporate a visiting service only and not a shift service. That is, if a person needs eight-hour shift service of a nurse or a homemaker on an extended basis, then that patient is, ipso facto, not eligible for home care. The view is held that if we are providing a shift service, we are indeed setting up a one-patient institution.

Mr. O'Neil: In which case that patient should either go into a hospital or to—

Dr. King: That is right. If the patient needs service on a shift basis it is seen as institution based. With some exceptions, but probably on the average, it is well within the economy of an institution to provide the service more economically than the patient would receive it at home.

Mr. O'Neil: I have no further questions on that section, but I have one other matter

that I want to raise, Mr. Chairman. Then I will be finished.

Mr. Chairman: On this particular item of institutional services?

Mr. O'Neil: Yes, it deals with institutions.

Mr. Chairman: It would be appropriate now, Mr. O'Neil.

Mr. O'Neil: This could go in health programs or in institutional, but because I feel it directly involves institutions I would like, if I may, to ask it. It has to do with homes for the care and counselling of alcoholics.

I think you are well acquainted, Mr. Minister, with Serenity House of Quinte, which is located in Belleville. I have written to other ministers in addition to yourself because the matter also concerns them. I know that I have sent a lot of correspondence to you, and probably they have as well. I am sure that you have a file almost a mile thick.

2:30 p.m.

I wanted to ask the minister about his and his ministry's thinking in this matter. I know you have closed up several homes across the province and that there is a gradual drawing back of funding. You have given funding to Serenity House in Quinte, which we certainly appreciate. However, it does seem that this particular home, as well as others, is gradually being forced to close because of the inability to get funds.

Just recently, I received a letter from Mr. Fryters, RNA, who is the director of Serenity House in Quinte, explaining their financial problems. They have a deficit of over \$12,000, and they have let staff go. About one third of their funding comes from the community. They also receive funding from the Department of National Defence for treating some of the members of the Canadian forces. They are good people and they provide a service that is very well thought of. They are doing a great job in the community.

It seems to me and to the board of directors of this house, who work so hard to keep it going, that if you close them up you will have to treat some of the alcoholics and people with drinking problems in the hospitals, which is going to cost much more money. Yet, they are gradually being forced to close.

Hon. Mr. Timbrell: Many of them—I'm not sure that I can say most, but I will—have been able to carry on. Let us just put it on the record that Serenity House, as did a number of other projects, came to us a number of years ago. We agreed to fund them for

three years. It was on the understanding that within those three years they would obtain alternative funding under the auspices of the Ministry of Community and Social Services as a hostel, or that they would raise funds in the community. Many programs have done that in their communities.

Our difficulty is that the programs are not strictly health programs. In many cases they are community living experiences as much as anything. We have seen our traditional role to be one of helping them to get up and going so that they can prove themselves and make the applications to the appropriate agencies.

This comment is not specifically about Serenity House, because Serenity House is one that is being considered for interim funding. I will have a decision on that within about the next 10 days.

There are some that have not proved themselves and should have closed because they were not successful. So this is not to say that every program that is started up should carry on indefinitely.

We have a number of programs that are operating out of community hospitals, and out of psychiatric hospitals too, that are geared to treatment for alcoholics. We also have them operating out of the Addiction Research Foundation for that matter. So we certainly do not shirk our mandate. We cover them in that way.

As far as this kind of project is concerned, our role is essentially one of helping them to get a base or a footing so that after the three years they can carry on from there. We have stretched that in some cases to three and a half or four years. We have not been arbitrary about it.

Mr. O'Neil: Something like that is very difficult. I know this is something both the federal and provincial governments did a number of years ago. The problem is you get these organizations established and going with residences and staffs and everything else with federal and provincial funding. Then you withdraw it. Sometimes it is very difficult to get this money from the community, especially during the times we have had in the last two or three years.

I also agree with you that there are some places that should have been closed. But Serenity House is in my riding and I feel it does an excellent job. Perhaps your move was a good sign to the board of directors and the staff. They have been forced to cut their expenses a bit.

If it can be proved that a place like this is doing an adequate job, that it is going to

save some of these institutional hospitals or other places money by having them there rather than in the hospital, what does the future hold for these places? Can they look for interim financing or some kind of permanent financing? Or is it going to be removed?

Hon. Mr. Timbrell: This is a question that should be put more properly to the Minister of Community and Social Services (Mr. Norton). His ministry is reviewing its policy with respect to the funding of this type of program for halfway houses and hostels. That review has been under way now for some time.

Mr. O'Neil: Your policy—

Hon. Mr. Timbrell: Our policy will essentially stay the same. It will help groups to get going. But they are not, strictly speaking, health programs. There are many programs that are in the social services area.

Mr. O'Neil: You do not call alcoholism a health problem or a matter for health services treatment?

Hon. Mr. Timbrell: Alcoholism is a disease, but we are not talking about treatment in the strictest sense of the word. In the main, the kinds of programs we are talking about are in counselling, life experiences and life skills training. These are not, strictly speaking, in the health field but fall into the social services side.

Mr. O'Neil: The thing is that no results are obtained; not from your ministry, not from the Ministry of Community and Social Services, not even from the Ministry of Correctional Services, Gordon Walker's ministry, which I think has provided some funding.

Hon. Mr. Timbrell: For ex-inmates.

Mr. O'Neil: Yes. If they do not get results in a place like Serenity House they are going to end up in your hospitals and cost you and the people of Ontario money. It is related to health. I feel that there should be some type of assistance as in the past. I would hate to see it withdrawn totally, because I think it is an excellent service.

Hon. Mr. Timbrell: In this particular case we are looking at the possibility of some interim funding, an extension. But once it gets beyond the health field it really does get into the social service area.

Mr. O'Neil: So we should go after the Minister of Community and Social Services; which we have done.

Hon. Mr. Timbrell: For what it's worth, I have a very good program in my own riding, on Bayview Avenue, that deals with the

same kinds of problems and probably offers a similar type of program. I have had to say no to them. They just do not qualify for funding through our ministry.

Mr. O'Neil: Have they qualified elsewhere?

Hon. Mr. Timbrell: No. At this point they are totally self-supporting from fees and some other income.

Mr. Young: I wanted to raise under this vote the matter of the labs in the hospitals. The minister has been doing some serious work on this over the past period, I understand.

The problem in the hospital of which I am a board member is that our outpatient work in the lab was up about 16 per cent during this past year, and other work was up as well. About \$20,000 worth of work has had to be sent out to private labs.

The cost of that has to be absorbed in the overall grant to the hospital, which means that the cost of that lab work eats into the general revenue; whereas under the private lab setup, when work goes to private labs you pay for it on a piecework basis.

Hon. Mr. Timbrell: They bill the ministry, not the hospital.

Mr. O'Neil: Yes, so the wise thing for a hospital to do would be to send the work directly to the private lab and tell them to bill the ministry directly for it. That presents a bit of a difficulty.

I understand the minister has about 10 pilot projects going on to work on this whole problem.

Hon. Mr. Timbrell: We were discussing this briefly yesterday. This is a problem, there is no question about it. As I said yesterday, a number of hospitals—I guess York-Finch General Hospital among them—in the last few years have identified the lab area as one which it would relieve some of the pressure they feel on their budget to refer work out, so it would be billed directly to the ministry and not be charged against the global budget of the hospital.

We have not yet completed it, but we are trying to develop a formula that would not only be acceptable to the hospitals—we have been discussing it with the hospital association and the group they put together—but also to the people we have to answer to, Management Board of Cabinet. We are looking for something that would provide fiscal incentives to maximize the potential of the hospitals, obviously with respect to outpatient work, blood work and so forth. That is not finalized yet.

I am reminded that in the formula that went into arriving at the overall 7.8 per cent increase to hospitals this year, there was a provision for a 10 per cent in outpatient work. So the proportion of their budget that was for outpatient work last year was inflated by 10 per cent. It was one of the elements.

2:40 p.m.

Mr. Young: But one of the problems in this kind of a situation is that as the laboratory work increases, the hospital either has to direct the work to private laboratories and have them bill you, or else expand facilities. And they cannot expand facilities as long as this situation exists.

Hon. Mr. Timbrell: Strictly speaking, even if the hospitals had everything they wanted they could still use money that should otherwise go for laboratory work on some other project and just keep referring lab work out. This is a shortcoming in the setup of the system at present. As I said, we are trying to develop a formula that will plant an incentive to not seize on that opportunity.

Mr. Young: What answers are we going to get in the next reasonable period of time? Are we going to attempt to make it possible for the hospitals to do the same kind of work the private laboratories do, with the hope of the same kind of remuneration? Or are we going to keep saying to the hospitals, "You dip into your global budget and expand your facilities to do the work you have to do"?

Hon. Mr. Timbrell: We are trying to develop this formula, as I said. Once we have approval for it, we will go to Management Board of Cabinet. Then, after discussion with the hospitals, we will try it out in a few pilot projects. If it works, we will apply it across the board eventually.

The whole idea of going to a global budget goes back just about 10 years, the same length of time that you have been on the board of York-Finch General Hospital. I know you have been on it since the hospital opened in 1970 or thereabouts. So in the meantime, whether you are talking about a growth in laboratory work, emergency visits or the number of casts that have to be put on, in going from line budgeting to global budgeting they can shift money back and forth among the departments as they see fit, as long as they stay within their overall net ministry liability.

Mr. Young: The problem is when you are pressured in every department. When you have no surplus to shift your problem becomes acute.

Hon. Mr. Timbrell: I know. That is why we have boards. Boards have to make those decisions.

Mr. Young: Could the minister tell us something about the pilot projects now under way, what the long-term hope is there and if any results are showing yet?

Hon. Mr. Timbrell: There are none under way. That is what I am saying. We had hoped to have them under way by now but we have not had approval of the formula.

We are working both ways. Obviously we have to deal with the hospital people. There is no sense in developing a formula in isolation from the hospital people. Then we also have to deal with management board. So we have been discussing it at both ends. Dr. Dyer feels that in a month he hopes to have something finalized.

Mr. Young: Is there any hope?

Hon. Mr. Timbrell: Oh yes. The principle is understandable; the idea of maximizing the use of facilities that already exist and have been paid for. It is how you do it that we have not finalized in the actual formula.

Mr. Young: But the minister has no time frame that he can give us.

Hon. Mr. Timbrell: If Dr. Dyer is correct and we can get some agreement within a month, then things could be started by the fall, I would think.

Mr. Young: How long would these projects be carried on before we could expect to get results?

Hon. Mr. Timbrell: I would think they would need to run for a year or two at least before one would finalize anything.

Mr. Young: So for hospitals such as the one I am speaking about, there is little relief in sight then for some time yet.

Hon. Mr. Timbrell: Not for a couple of years, unless they are one of the pilots. However, it seems York-Finch General Hospital has not indicated an interest in being one of the pilots.

Mr. Young: Thank you, Mr. Minister. I am a bit concerned about this because it just seems to me incredible that we have facilities that can be easily expanded and yet we are saying to the private laboratory outside, "We will pay you piecework," and to the hospital laboratories, "You are not available for this kind of payment." Or at least: "We won't pay you this way. You have to have certain restrictions," and, when the crunch comes, the work is forced out into piecework payment anyway. So it just seems it is not the best kind of business for this department.

Hon. Mr. Timbrell: A large part of it is due to the global budgeting, that we have not penalized or rewarded either overruns in one department of the hospital or under-runs. For instance, if a hospital—your hospital is probably no doubt the same—has had a significant decline in the obstetrical case load, we don't penalize the hospital for that. Most hospitals have seen their case load drop by half or more in the last five to 10 years but they are free to ship that money over to whatever; maybe to the laboratory.

Mr. Young: We have a pretty fertile area up there and a very rapidly expanding area. The birth rate has dropped to some extent, there is no question about it.

Hon. Mr. Timbrell: Yes, in that respect it might be a bit of an exception, but there are very few like that.

Mr. Young: The expansion of the area puts real pressure on the total facilities of the hospital. I would hope there would be some resolution of this as soon as possible.

Mr. Conway: I have a smorgasbord of things under this vote, not the least of which grows out of Mr. Young's point.

I asked a couple of questions some weeks or months ago about the very significant cost pressures on laboratories and hospitals particularly, but elsewhere also, as a result of the sharp increases in the price of silver. Since then I have been hearing from a number of hospital people that this is a typical example of the sort of inflation forcing them well over their budgetary limits in many cases.

Two parts of one question: What have you told them? Because I don't know that it is altogether clear, this understanding you have with the radiological section of the Ontario Medical Association and others, as to how specifically those kinds of unprecedented cost escalations are going to be dealt with. I get the distinct impression, at the laboratory level in the hospital, they don't yet know whether there will be any relief.

Hon. Mr. Timbrell: There is the private radiological facility and then there is the institutional one. I would like Mr. LeNeveu, who has been working on those calculations and dealing with the medical associations, to respond to that. You know what has happened to the price of silver even since we started talking about it a few months ago. It has been up and down and is now away down.

Mr. Conway: Now George Ashe will never be the same.

Mr. LeNeveu: We have had discussions with the Ontario Medical Association to attempt to develop some approach to address the problem of the extra surcharges that materialized primarily since Christmas time in the price of X-ray film. A box of 500 sheets of X-ray film went from a price of around \$500 to close to \$1,400 in a very short period of time. Silver, a year ago, was trading at something like \$9 an ounce in Canadian terms and rose to a high point of \$50 an ounce. As of today, it is trading around \$17 or \$18 an ounce.

There are two components the radiologist is faced with; there are about 20 ounces of silver in a box of 500 sheets, but about 75 per cent of that silver is recoverable, either at the time of taking the picture or at the point of destruction of the film itself, the negative. Therefore, we tried to work out a formula which would take into account two elements basically; the net cost of silver in terms of its scrap value versus the cost of the film itself, and try to assist the association in that regard.

2:50 p.m.

I think we have come to the point now where a formula is developed and there will be payments made to individual radiologists based on our Ontario Health Insurance Plan records of their volumes of procedures processed. A surcharge will be applied which is developed over a period of time, taking those two factors into account. In the increase they received last year through the economics committee, I believe radiology got an average increase of about 8.5 per cent but it was not sufficient to recognize this abnormal situation they are faced with. This film is a very large cost of operation for a private radiologist.

Mr. Conway: Is that undertaking, as you understand it, well known to both the public and the private institutions?

Mr. LeNeveu: Yes. A letter went out probably last week or if not, it has gone out the first part of this week. It is from the section of radiology in the Ontario Medical Association to the individual radiologists explaining how this concept will work.

Mr. Conway: Will that go to all public and private operators, hospitals as well as—

Mr. LeNeveu: No, this is an arrangement between—

Mr. Conway: You are not dealing just with the private sector?

Mr. LeNeveu: The private radiologists, yes.

Hon. Mr. Timbrell: As regards the hospitals though, we have discussed this several times with the hospital association and it was their advice, several months ago, not to do anything now but rather to deal with it at year end because they recognized as we did that the price of silver was likely going to be all over the place, and you are dealing with a global budget.

Mr. Conway: All right. That leads on to another question we discussed earlier, and I have since been talking to just one particular hospital in the province. A week ago, when we opened these estimates, we talked about this provision. I have mentioned the Ottawa Civic Hospital's \$1.1 million deficit as indicated in an Ottawa Citizen article. You indicated at that time there was a provision, there was a well known understanding, that the ministry would be reviewing those budgetary overruns with a view to alleviating what they thought they could and where they could.

Are all hospital budgets on a year ending March 31 basis?

Hon. Mr. Timbrell: Yes.

Mr. Conway: So we have now had the better part of two months and one week, roughly, since the end of that particular—

Hon. Mr. Timbrell: I think a lot are not even in—how many budgets are still to come in? About 40 per cent of the budgets are not even in yet.

Mr. Conway: So you have 140 or so in. What is the pattern? Are a majority of those hospitals under, over or on target?

Hon. Mr. Timbrell: A number are showing potential deficits, but from the ones I have seen to date there appear to be two reasons. One, they are including in their projections higher projections of the settlements that will come in the fall with the Ontario Nurses Association and the Canadian Union of Public Employees than we included. We included an eight per cent factor there. In some cases their projections are significantly greater than that.

We have simply said, as I said to the committee last week, we obviously cannot accept that and we are going to put that on one side and wait until the negotiations are completed and we know what the actual settlements are going to be for the last half of the fiscal year with the nurses and the CUPE locals.

Mr. Conway: By the way, what are they projecting? You are eight; are they 12 or 14 per cent?

Hon. Mr. Timbrell: They are all over the place. But they are looking at what is happening in western Canada. Even though they are using Ontario as the benchmark for the negotiations, there are very high double digit settlements out there.

Mr. Conway: At the risk of being bold, I hope they are not looking at the minister's office—but that is between Mr. Nixon and Mr. McCague.

Hon. Mr. Timbrell: There is nothing wrong with the minister's office.

Mr. Conway: Twelve per cent is not eight.

Hon. Mr. Timbrell: Oh, I have nothing to do with that. I have been accused of being too far the other way.

The other area is, quite frankly, that some hospitals have included in their submissions, additional staffing for the new programs that have not been approved. In some cases, they have been told, or they will be told, that is not kosher.

Mr. Conway: Of the budgets now received can you, Mr. Minister, or you, Dr. Dyer, or anyone else here, indicate without giving the name of the hospital—if it is not a private matter then I would be interested to know—what hospital budget have you in your possession that has the highest overrun? What is the order of overrun?

Hon. Mr. Timbrell: Some are projecting several millions. But I do not think we yet have had enough time to do the complete analyses. I am giving you the general information.

Mr. Conway: I am asking a specific question, not a particular question. You have a number of hospital budgets in. What would that be? Six on a budget of what?

Hon. Mr. Timbrell: About \$80 million. But again, until you get into it and find out what they are—obviously if the hospital is an \$80 million operation, they have a lot of staff. On our total salaries and wages component of the public hospitals, which is probably about \$1.8 billion or thereabouts, you only have to vary that by one per cent and you are dealing with very large amounts of money.

Mr. Conway: I want to be clear in my mind, and I am not sure I am, specifically what we are talking about here in terms of hospitals; they submit to you their year end statement.

Hon. Mr. Timbrell: That is a separate operation. We are talking about the submission of budgets for 1980-81.

Mr. Conway: All right. But their projections versus your offering, leave a gap. For 1980-81, there is a hospital in this province to which you have allocated \$X million. They have produced a budget which shows \$X plus six million. That is what we are talking about. Correct?

Hon. Mr. Timbrell: That is right. Now what we have to do is work it through and see how much falls into those two areas I talked about, and how much is a problem we can deal with now.

Mr. Conway: All right. That is looking ahead to next year. I am talking now about the year just ended.

Hon. Mr. Timbrell: Oh. All right.

Mr. Conway: That is where we got a little confused perhaps. How many hospitals have come to you? I presume what the Ottawa Civic Hospital story indicated was that they had come to their year end and found themselves with \$1.1 million more in expenditures than they had in revenue.

Hon. Mr. Timbrell: Maybe Mr. Bain, who is the executive director of the division, can deal with that specific as an example, if that would be helpful.

Mr. Bain: Certainly, Mr. Chairman, Mr. Minister. The Ottawa Civic Hospital has submitted a budget to us showing a deficit.

Hon. Mr. Timbrell: We would like the one from last year.

Mr. Conway: I want to talk not about next year for the moment. I want to talk about last year. All hospitals, I presume, are year ended March 31, 1980.

Hon. Mr. Timbrell: Right.

Mr. Conway: We now should have a fairly good idea of what that last, 1978-79, fiscal year looked like.

Hon. Mr. Timbrell: Right.

Mr. Conway: I am particularly interested to know how many hospitals, if any, have come in with deficits. I presume that the Ottawa Civic Hospital was a deficit situation.

Hon. Mr. Timbrell: I am not sure how they ended up the year but I asked the same question several weeks ago. Apparently on the whole year some came in with deficits, some came in with surpluses. On the whole year, with surpluses and deficits, we ended up \$4 million in the hole, so to speak.

If on a total expenditure last year of \$2.2 billion, roughly \$2.12 billion, for the operations of hospitals, that is not too bad.

Mr. Conway: What is your policy? I know I have been told to allow people to capture those savings?

Hon. Mr. Timbrell: Yes. Most years we allow the bulk of the deficits, assuming they are on approved programs, et cetera, and that they have not tried to put something over on us on a program that has not been previously approved.

Mr. Conway: Fair enough. With the year ending March 31, 1979, do you yet have in your possession any information to indicate that there are going to be any public hospitals in this province with a deficit that will not be relieved to any degree?

Hon. Mr. Timbrell: I would not think so. Sorry, you said 1979?

Mr. Conway: Yes, 1979-80.

Hon. Mr. Timbrell: March 31, 1980?

Mr. Conway: That is right.

Hon. Mr. Timbrell: Just to finish on the Ottawa Civic Hospital, during the 1979-80 fiscal year, the Ottawa Civic Hospital received an additional \$1,351,524 over and above the budget—the net ministry liability figure—they were given in January 1979.

Mr. Conway: What was the additional amount?

Hon. Mr. Timbrell: It was \$1,351,524. They have indicated apparently to our staff that they will balance at the end of the 1979-80 fiscal year. They will not be showing a deficit.

Mr. Conway: So I can assume then you have awarded that \$1.3 million?

Hon. Mr. Timbrell: Yes, many months ago. I am not sure when they were notified, but it is—

Interjection: Last fall.

Hon. Mr. Timbrell: Was it last fall?

Mr. Conway: I did not bring the clipping with me. Again you see the concern that would—

Hon. Mr. Timbrell: I think we are getting the fiscal years mixed up.

3 p.m.

Mr. Conway: So we will not have any public hospitals in this province sitting there with rather large operating deficits which are not going to be dealt with. Am I correct in that assumption?

Hon. Mr. Timbrell: There are none that I am aware of. I just dealt with one the other day.

Mr. Conway: If there are any, I would like to know which they are and why they are not covered.

Hon. Mr. Timbrell: I do not think we have all the year-end statements in anyway, have we? We have other projections. Very few audited statements are in yet because the auditors tend to take longer than 10 weeks.

Mr. Conway: On the basis of what we now have for the year ending March 31, 1980, there does not appear to be any problem of a significant kind with any public hospital on the budgetary basis.

Hon. Mr. Timbrell: I do not think so. A number of them, of course, will be rolling over deficits. We have made the provision that a hospital can roll over a deficit in a succeeding fiscal year or years and recapture that from savings. Let us say that in 1979-80 it identifies potential savings it could not begin to put into play until 1980-81, and it ran a deficit. It would roll it over and recover it.

There have been a few that I have been involved in, cleaning up from last year. I signed for one the other day. I am not aware of any lingering huge problems from the 1979-80 fiscal year.

Mr. Conway: All right. I want to go through with you carefully and step by step, if we can, a process I talked about at some length. I do not think I have ever had the chance to get you to explain precisely what you received and where, specifically, it was applied.

Last year you were to get, as I recall, supplementary estimates in the order of \$65 million.

Hon. Mr. Timbrell: Yes.

Mr. Conway: Is there one document in your possession which indicates specifically where that \$65 million was applied?

Hon. Mr. Timbrell: That deals with the amount that went for chronic beds, for conversions, for life support, and so forth. This totals \$54 million.

I am asked if I did not file some material at the time of the supplementary estimates going through. What did we give you then? What were the totals?

Mr. Conway: I certainly got totals, but that means as much to me as a lot of these figures. If they are not broken down with more specific assignments, it is just a collection of numbers.

I presume you went to the Management Board of Cabinet and said, "I need X numbers of additional dollars for a program."

You got that money and proceeded in the course of the year to distribute it.

Hon. Mr. Timbrell: Yes.

Mr. Conway: What I wanted to get, as specifically as I possibly could, was a list of 68 or 741 or however many different places where that money came to rest. There was a big headline that there was X millions of dollars. I was appreciative of that, but in recognition of our responsibility to account for these dollars in the estimates process I would like to know specifically what happened.

Hon. Mr. Timbrell: Let me take that as notice. I have no objection at face value to releasing this. My problem is in the way it ends up getting used, not by us as politicians, but for comparisons to say that so-and-so got \$30,000 so that so-and-so should get \$40,000 because it is that much bigger, whether it is justified or not.

Mr. Conway: It is public money. Let them fight over it if they want to.

Hon. Mr. Timbrell: It comes out in the final year-end in the public accounts and so on.

Mr. Conway: That is the difficulty. I would like to know how many people at the other end ever read this. I am probably the only one in the room who has ever given it the scrutiny it deserves and even I cannot tell. When you look through the Health figures it is very interesting, but unless you get some assistance it is very difficult to interpret what this means in many cases because it is so broken down.

Hon. Mr. Timbrell: Let me take it as notice.

Mr. Conway: There are a couple of other things. I want to find out as well where we stand with our famous active treatment bed ratios. We are now, what, a year away from full implementation of 3.5?

Hon. Mr. Timbrell: In many areas they are at 3.5 now.

Mr. Conway: The deadline is, as I recall, 1981. Where in 1981? The beginning of the fiscal year 1981?

Hon. Mr. Timbrell: During 1981.

Mr. Conway: All right. This may again be a question for notice. You said some, and I know some are at that already. Can you indicate with documentation how many areas or how many of those hospitals are presently at that, or where they are as of this hearing?

Hon. Mr. Timbrell: I will have to get that. I do not have it with me. I think next year there will be a marginal, a very small shift.

As you know—and I have used these figures elsewhere in the last number of years—while we have been reducing the acute or active treatment beds, there has at the same time been movement the other way, adding or converting chronic and rehabilitative beds, so there has been a net increase.

Even last year, in 1979-80, there was a net increase of about 200 beds in Metropolitan Toronto because while some were reducing acute beds, particularly downtown, we also added quite a few chronic and rehabilitative beds. In the last five years there has been a net increase of over 3,000 beds overall. That includes the chronic, the rehabilitative and the extended care beds.

I think so many have already arrived at 3.5, or close to it, that in 1981 there would be a marginal shift in the province.

Mr. Conway: From your point of view, are there no parts of this province that are having any particular difficulty meeting those criteria?

Hon. Mr. Timbrell: I think most areas are trying to identify where they have problems with patients backed up into the acute beds and how to address that. That is why we added the extended care beds and nursing home beds in your county and elsewhere. I do not anticipate major problems.

Mr. Conway: I want this clearly understood. There are no parts of Oshawa or Kenora—

Hon. Mr. Timbrell: In Oshawa we just added 42 chronic beds.

Mr. Conway: I picked the names out of a hat, but are there no parts of the province that are having problems in bringing themselves—

Hon. Mr. Timbrell: I have talked with hospital people and district health council representatives. A number have said we have to be careful how we go about this, that we would finally get there, but flexibility was allowed in the last couple of years. I have said: "Do not just look at one side of the equation, the acute beds. We have goals for the long-term care beds as well."

Given that framework, that term of reference, I think most of them feel they are going to reach it. For instance, the Ottawa-Carleton regional district council has indicated to me it could even go below 3.5 and still meet the acute care needs, especially with the new hospital being built in the Gati-neau, if we can get the beds on stream soon enough for chronic—for instance, at the old Ottawa General Hospital, and will all of the new rehabilitation centre built and running

where there are 77 beds. Up in the Elliot Lake-Pine River area they have indicated they can go below four.

Mr. Conway: You mention Ottawa. That makes me want to inquire about on other aspect of the situation in an area like the Ottawa Valley. What was the basis for your nonresident allocation? What kind of criteria do you use to determine that in Pembroke or Cornwall or Hawkesbury—

Hon. Mr. Timbrell: Basically using the separation data, as I recall.

Mr. Conway: Is that it and nothing else?

Hon. Mr. Timbrell: In Ottawa it comes to a significant number. About 400 beds on any given day in Ottawa are being utilized by out of province—mainly Quebec—residents.

Mr. Conway: Would you not change that until the separation slips came?

Hon. Mr. Timbrell: No.

Mr. Conway: When is the new hospital in the Gattineau opening?

Hon. Mr. Timbrell: In 1983.

Mr. Conway: You would not change that calculation prior to that opening, although you would expect certain things to occur once it does.

3:10 p.m.

Hon. Mr. Timbrell: Yes, there is bound to be a continued, significant utilization of our hospitals in Ottawa and Hawkesbury, especially Hawkesbury, because of the traditional relationship to the Smith clinic, and in the case of Ottawa because of the specialties that are in Ottawa that do not exist in Hull or the Gattineau region. They have added beds at the Centre Hospital du Sacre Coeur in Hull for chronic purposes, and once they get the 300 acute care bed hospital built and running in the Gattineau that should make a significant difference.

We charge back to Quebec using a per diem rate for the given hospital. However, the cases we get do not tend to be your average cases, with the average length of stay or the average expense. Because so many of the cases are longer term and involve some very sophisticated and expensive specialties and special services, our costs are much higher.

I tried about two years ago to convince Dr. Denis Lazure, Minister of Social Affairs in Quebec, that we should perhaps look at an enrichment of the reimbursement there, based on actual expense and utilization. I am afraid I did not get very far, but that is a significant factor in our costs when one is talking about 400 beds.

Mr. Conway: I am trying to keep one eye on the clock and I will go quickly through some of these other items.

You mentioned the Hall commission on health services in your presentation and the backup of it. You struck down X number of rated beds from the active treatment and you added others in chronic, rehabilitation and whatever. I did not bring those figures with me today. Were those, as I recall, over a period of three or four years?

Hon. Mr. Timbrell: Five years.

Mr. Conway: What I would like to have before the estimates conclude, particularly since last year was such an interesting year with these new active treatment bed formulae—

Hon. Mr. Timbrell: That was two years ago.

Mr. Conway: I realize that, but last year the full impact was felt by many institutions in a way that it had not been earlier. Using the two basic categories—one was active treatment beds and the other included chronic, nursing home beds, anything—that you used in the Hall commission for just one year, 1979-80, can you provide us with the number you cut, the number of rated beds that were taken out of the active treatment sector and the number added on the other side? As well, can you give me what your projections are for just this year?

I would like to have a look at those two sets of figures if you could pull them together on one sheet.

Among the many presentations which members receive from time to time—as Health critic I get more than my share—one struck me as rather interesting. I think you had it. It came up not long ago. It came from the Brant chapter of the Ontario Association of Registered Nursing Assistants. For the interest of other members I am going to read a bit of it and I want to talk to you and get your response to it:

“The Brant chapter of the Ontario Association of Registered Nursing Assistants was initiated in 1966 to voice the needs of registered nursing assistants in the county, as well as Haldimand, Norfolk and Oxford areas.

“Since 1962 the registered nursing assistants have been under representation and registered with the College of Nurses of Ontario with the policy to maintain high standards of nursing and to protect the public against mismanagement of nursing manpower.”

They go on to talk about, “Registered nursing assistants in Brant chapter are having

injustices perpetuated against them because of the following reported practices:

"Health care aides trained under the auspices of the Ministry of Health require no certificate of competence, have no governing body to protect the public against them, have much shorter training periods and are being used in many agencies to replace registered nursing assistants. Health care aides are giving treatments like . . ." and they go on to list a number which are not apparently within their jurisdiction to administer. One area hospital laid off nine RNAs in this case.

The whole point of their brief—I certainly found it interesting and presumably you have had a chance to look at it—is summarized accordingly: "It is the belief of the Brant chapter of the Ontario Association of Registered Nursing Assistants that the public is not being protected against nonregistered nursing manpower who have no accountability to a governing body.

"It is also our belief that staffing of the total health care system should be under closer scrutiny by the Minister of Health to prevent the type of nursing care that is being given to the consumer by nursing manpower with only themselves to answer for. We also believe that the present budgets for the hospitals and nursing homes should be reviewed with a view of some of the above complaints. We believe that only registered personnel should be giving direct nursing care."

I will let you have a look at it if you haven't seen it.

Hon. Mr. Timbrell: To start with, the difficulty is that nursing is not even defined in the Health Disciplines Act. Like medicine it is one of those things that, when it came time to codify something, it was impossible actually to define it.

I could be mistaken, but I think one would find that the number of registered nurses and registered nursing assistants employed in the system has gone up in the last several years and not down. The nurses aides, basically, are the porters, the orderlies, the people who do a lot of the mundane tasks that were done by nurses many years ago and now have been assigned to them.

That basically is a matter of hospital policy. There are a lot of people who do not fall under nursing or medicine or any of the existing colleges under the Health Disciplines Act or the registration boards.

Mr. Conway: Maybe I can help you here. I do not know what the rates of remuneration are. I am assuming, and correct me if I am wrong, that a registered nursing assistant would be paid, on average, more

than a health care aide. Am I correct in that?

Hon. Mr. Timbrell: I think that is essentially correct.

Mr. Conway: Can anybody give me an order of magnitude? Would it be five per cent, 10 per cent?

Hon. Mr. Timbrell: I don't know.

Mr. Conway: Does anybody know?

Hon. Mr. Timbrell: It would be 20 to 25 per cent.

Mr. Breaugh: It would probably be the difference between someone getting in the neighbourhood of \$9,000 to \$10,000 as opposed to someone getting \$12,000 or \$13,000.

Hon. Mr. Timbrell: About \$13,500 or \$14,000.

Mr. Conway: What struck me about this was that it would be a likely outcome of very stiff restraint in the institutional sector. One has very little choice if one is in hospital administration and one seeks to replace or to substitute expensive manpower with less expensive manpower or womanpower or whatever.

Hon. Mr. Timbrell: Personnel.

Mr. Conway: Personnel is a more neutral term. The point this brief speaks to is the whole unquantified, unknown amount of that occurring. I have strong reason to believe there is a substantial amount of that going on. In some cases we want that to happen. If one can, without any reduction in the quality of care, effect a reduction by such substitution, fair enough, but this brief seems to indicate the quality of care may be adversely affected. People are delivering direct nursing care—

Hon. Mr. Timbrell: No, they are not nursing.

Mr. Conway: I can only read what the brief says and it indicates that, from their point of view, there are people giving direct nursing care who are not trained to do so.

Hon. Mr. Timbrell: Maybe Dr. Dyer should address that. My understanding is that they do not provide nursing care. They would provide personal care, would administer baths and personal hygiene, would feed patients who are not able to feed themselves and this kind of thing, but not carry out nursing as such.

Dr. Dyer, do you want to comment?

Dr. Dyer: Their role is just being reviewed by the provincial review committee. They are defined as not nursing care and are strictly confined. They are not a replace-

ment for either the RNAs or the RNs in that sense. They are relieving them of non-nursing duties, if you will, and I think that is the intent.

3:20 p.m.

Mr. Conway: You would dispute their use of the word "nursing" and simply say that it is direct personal care.

Hon. Mr. Timbrell: Yes.

Mr. Conway: Have you had a chance to see a brief submitted to the Minister of Health?

Hon. Mr. Timbrell: I believe so. I get more than you do, believe it or not.

Mr. Conway: I am sure you do.

Hon. Mr. Timbrell: If I recall the issue, I am not sure whether I have ever heard of that one or not.

Mr. Conway: Will it be responded to?

Hon. Mr. Timbrell: They always are.

Mr. Conway: I would like a copy of the response when it is available.

Hon. Mr. Timbrell: All right.

Mr. Conway: I have a number of other items but I think they will probably fall under other parts of the vote.

Mr. McClellan: I will set a few things aside and deal with the one thing that I wanted to raise under this vote and item. It has to do with, if I may use the phrase, the government's rescue program for retarded people who are in homes for special care. The chairman will certainly know it is a matter that has been of enormous concern to me for a number of years. We have raised it at least for each of the last three years in the estimates of the Ministry of Community and Social Services.

First of all, I applaud the government for the program that was announced on May 20 in the Legislature. To be more correct, the program was at least alluded to on March 3 when I released the results of the nursing home inspection reports which fared from the allegations made against the Good Samaritan Nursing Home. The government indicated it was prepared to act. The program you announced on May 20 appears to be excellent. We both applaud you for doing it and wish you well in its undertaking.

I do have some concerns though and I would like to use this opportunity to express them. The first is the question of how many retarded people we are talking about in homes for special care. The reason this is still a concern is because I received information via the Ministry of Health in answer to a question I put on the Order

Paper in December 1978—at least I got the answer on December 15, 1978. The question was how many mentally retarded persons are living in homes for special care, with a number of subquestions.

The answer was that as of August 1978, based on information from the Ministry of Health, there were 1,366 developmentally handicapped persons being accommodated in homes for special care. There were 1,052 in nursing homes and 314 in residential homes. Then follows a breakdown by age and some other variables. However, when the government announced on May 20 its intention to provide services for the first time to retarded people in homes for special care, the number was 2,920 mentally retarded individuals.

Before we go any further, I would like some understanding of the discrepancy in numbers. How did we get from 1,366 in December 1978 to 2,920 in 1980?

Hon. Mr. Timbrell: Excuse me. I am not sure what it adds up to but if you add those three figures you had in homes for special care, nursing homes and the other—

Mr. McClellan: No, let me read them again. There were 1,366 developmentally handicapped persons being accommodated in homes for special care—1,052 in nursing homes and 314 in residential homes. That adds up to 1,366. That is the breakdown of the 1,366.

Hon. Mr. Timbrell: That does not explain the discrepancy.

Mr. McClellan: No, it doesn't.

Hon. Mr. Timbrell: To the best of my knowledge the figures that the Minister of Community and Social Services used are the current figures.

Mr. McClellan: Yes, I believe that.

Hon. Mr. Timbrell: I will have to check into the background of whether there was a difference in the definition in the question or in the way it was answered. I don't know. I will have to find out for you.

Mr. McClellan: I would appreciate that. As a reference to Hansard, it is the appendix, December 15, 1978, page 6313.

The reason it is important to me to understand the numbers is because I have an ongoing concern that retarded people, who are supposed to be cared for under the auspices of the Ministry of Community and Social Services, have been funnelled into homes for special care over the past five years and, in a sense, there has been a black market or a bootleg service operation outside the normal community living program and that the number of retarded people in homes for special

care has not remained constant over the past five years, but has been increasing.

Despite the excellence of design of the Community and Social Services program for the developmentally handicapped and in spite of the number of very significant improvements and much progress in many areas of that program, there have been a large number of retarded people who have been streamed out and streamed away from the Community and Social Services program and have been incarcerated in homes for special care, and left to vegetate, until this year when the new program was initiated.

I have been assured by officials from Community and Social Services, and the chairman may recall this, that in no way have retarded people been discharged from schedule one facilities, the old hospital schools for the mentally retarded, like Huronia and Smiths Falls, into homes for special care.

Hon. Mr. Timbrell: That is my understanding.

Mr. McClellan: That is my understanding also, but I do not know why there has been an increase in the homes for special care population, if that is true. I understand from the background document that accompanied the May 20 statement by Mr. Norton, that admission to homes for special care is through a provincial mental health centre or a mental retardation facility, while admission to an extended care bed in a nursing home is through referral by a physician.

Hon. Mr. Timbrell: That is right. If one were able to do a person by person analysis, I think you would find that was a private placement. Any growth that occurred was in that area, not in the transfers or the discharges from the schedule one facility.

Mr. McClellan: I wish I could be absolutely reassured about that, and if there is any way I can be, I would appreciate it very much.

Hon. Mr. Timbrell: You have the statement from the Minister of Community and Social Services who is responsible for that review mechanism.

Mr. McClellan: I intend to pursue it again with him.

With respect to provincial mental health centres, do you have any way of determining whether developmentally handicapped people have been or are being discharged from provincial mental health centres into homes for special care?

Hon. Mr. Timbrell: Sure. I mean it was set up.

Mr. McClellan: Developmentally handicapped people?

Hon. Mr. Timbrell: Developmentally handicapped from our psychiatric facilities?

Mr. McClellan: Yes, mentally retarded people from your psychiatric facilities. Are they being discharged into homes for special care?

Hon. Mr. Timbrell: They would have ended up in a psychiatric facility because of other problems obviously, aggression or whatever.

3:30 p.m.

Mr. McClellan: Do you have the number?

Hon. Mr. Timbrell: Offhand, no. It would not be many because we do not have that many. In the psychiatric hospitals we end up basically with the violent MR patients who cannot be handled elsewhere, so it would not be very many.

Mr. McClellan: I would be interested in obtaining as close a figure as you can on that category of people.

Hon. Mr. Timbrell: All right, I will see if we can do that.

Mr. McClellan: The enormity of the problem is there. Out of 7,000 people in homes for special care and nursing homes almost 3,000 are mentally retarded people. I think there are only about 5,000 retarded people left in the old institutions. In effect, there is this enormous population of retarded people who have been in a sense tucked away without programs.

The numbers do not add up. When we tried to obtain information in 1978 and again in 1979, we apparently were given inaccurate figures. You are going to check on that and I await the response.

Suffice it to say I am enormously concerned about that, which leads me to a specific suggestion. Close off admissions to both homes for special care and nursing homes to developmentally handicapped people; make sure that the proper facilities exist to close off this black market service that bypasses and short circuits the proper treatment program we had thought was set up, was being expanded and was operating—with problems but reasonably well—and make sure that is what is happening and not something else entirely.

Hon. Mr. Timbrell: As you know, we are looking at the whole homes for special care program, not just in regard to the developmentally handicapped but in regard to psychiatric patients as well. I would not be

prepared to say that the HSC program will continue in its present form or in any form.

Mr. McClellan: Can I tell you why I raise this so you will understand more precisely why I raised that concern? It has to do with page five of the background document that accompanied the May 20 announcement, a document entitled, *Mentally Retarded Clients in the Homes for Special Care and the Extended Care Program Information Paper*. It is on Ministry of Community and Social Services letterhead. On page five is a statement under the heading "Screening Process":

"To ensure that all service alternatives have been explored prior to mentally retarded clients being referred to us for admission to HSC or ECP homes or nursing homes, a screening mechanism will be established throughout the province. A subcommittee will be established by the steering committee to investigate the legislative and policy implications of the screening mechanism and to design a screening and referral process. The committee will include representation from the Ministries of Health and ComSoc."

That is the one area of the program I have trouble with because it seems to suggest that admissions to homes for special care could continue. If my understanding is wrong, please correct me and I will be happy to be found to be wrong, but if the intention is to continue to admit developmentally handicapped people to homes for special care, then I think you are continuing along a very dangerous path.

Hon. Mr. Timbrell: Yes, as I understand it, they could. We have also indicated that when the assessments are complete there may well turn out to be a number of facilities that should be converted in toto from HSCs to schedule two facilities, for instance, and move out entirely from under the Ministry of Health to be supervised by the Ministry of Community and Social Services. With the screening mechanism, with the assessment in place—and it has taken longer than I would have liked to bring this together—I think the interests of the developmentally handicapped are protected whether it is in a HSC unit or extended care.

The ideal would be a total rationalization where ComSoc took all 3,000 residents, and all the facilities. That is not practical at this time, until one has done a complete assessment and knows exactly the type of patients and residents one is dealing with and, let us face it, whether in the final analysis some are going to need no more than a straight

residential custodial program. The homes for special care program or its successor, or for that matter a HSC unit of an extended care unit, could well be quite appropriate for a number of persons in the long run.

Mr. McClellan: I simply do not accept that. We are talking about a rescue operation which is designed to provide treatment—which we know how to provide—to retarded people who have been shunted aside and denied treatment that is available in the Ontario hospital schools for the retarded. The improvement even in those facilities has been enhanced significantly since they were transferred from Health to Community and Social Services.

We are talking first about a rescue operation to be phased in over four years for 3,000 people. I can accept on pragmatic grounds that a rescue operation of this size and complexity cannot be done in one year or two years or three years. Four years seems to be a long time but I accept, because of the significance of the program and the amount of additional services being provided and the number of new services that have to be created, that it will probably take that long to do it. I accept that it is four years, but I cannot accept that during the period of rescue you are going to be admitting still more people into these facilities. That is what I cannot accept.

Hon. Mr. Timbrell: If we had not been able to arrive at this conclusion to do the assessments and begin to provide the programming for those who are not receiving it—and some have been receiving some elements of the program, mainly in the educational sector—then I guess I would understand your concern. The number of admissions per year is low.

Is it your concern that the facilities, the actual care, is not sufficient, that it is deficient in some way? The same physical facilities may well eventually become schedule two facilities?

Mr. McClellan: That is when the services are built in and the transfer is made. My concern is that a simple reading of the text here suggests that it would be possible to admit additional developmentally handicapped people into homes for special care because of the absence of Community and Social Service facilities, because of the absence of spaces in schedule two facilities or the absence of homes for the retarded with services in the community under the auspices of Community and Social Services.

3:40 p.m.

Hon. Mr. Timbrell: I could be wrong, but my understanding of the point of the screening mechanism is that for those new potential admissions, the assessments will be done as to what are their potentials and therefore what are the most appropriate programs to help them realize those potentials.

If that assessment indicates their placement in a home for special care, whether it is a separate HSC or an HSC unit that is appropriate for an individual, then the admission will go ahead. If that is indicated, fine, let them live there but there are these other programs that are going to have to be provided; that will be done. If it is your concern that their actual physical care or whatever would be deficient, then I think that has to be separate from any programming that would result from a need to screen them. The whole point is screening.

Mr. McClellan: The question is not one of physical care. If that were the only issue, there would not be a need to do what you are doing. The problem is if you simply provide physical care, room and board, and no matter how good that is, you are condemning a developmentally handicapped person to a subhuman existence.

Hon. Mr. Timbrell: I am sorry, what is subhuman?

Mr. McClellan: The lack of the therapeutic and rehabilitative services that would help him or her to realize his or her maximum potential, in very concrete—

Hon. Mr. Timbrell: That is what I was saying earlier. That is the whole point of the screening. Those needs will be identified through the screening before their placement is determined. Therefore, the course of action to be followed, whether it is through education, or workshops or whatever will be determined through the screening and put in place.

Mr. McClellan: Tell me what the screening mechanism is.

Hon. Mr. Timbrell: It is essentially as is described here.

Mr. McClellan: I don't understand that.

Hon. Mr. Timbrell: I am not a clinician so perhaps somebody more—

Dr. Dyer: From the point of view of health care screening, health care needs and developmental needs, it will be the same screening that is carried out and, as you say, rescues the patients who are there now. It is the same kind of process.

There will be a two-phased process. In some cases, the screening may identify the individual not only as to developmental pro-

gramming, but as to some health care needs as well. The purpose is to try to select the facility providing those needs at the point of admission, rather than admitting them and then later on putting them into the assessment process.

The purpose is to get them at the time of admission, try to determine their needs and best select the facility or program which would meet those needs at that time.

Mr. McClellan: There is no description of the screening mechanism, such as who is on it or who the actors are in the screening process. I do not understand whether there would be a relationship between the homes for special care screening mechanism and the district working groups.

Dr. Dyer: It is supposed to be done by the same group that is making the assessments. The district working groups will be making the same assessment on the pre-admission as they are with the patients who are there, so there will be some consistency in identifying the needs of that total population.

As the assessment process goes on, and certain developmental programs are built into these homes, then they will be identified and accommodated.

Mr. McClellan: All right. Perhaps that will be okay, but my difficulty remains that of having been surprised by the numbers, after having been given a substantially lower set of figures, less than half as a matter of fact.

Hon. Mr. Timbrell: Do you have a question there that you are asking us? Was there something in the question that would let us—we will have to find out, obviously.

Mr. McClellan: The other thing I do not understand is the number of children in homes for special care and in nursing homes. Surely you do not intend to continue to admit children into homes for special care, or extended care patient homes or nursing homes.

Dr. Dyer: I think the effort will be to admit them into nursing homes, not homes for special care. The effort will be to admit them into a nursing home or into some other facility that also has a program. The emphasis in the first year is to try more diligently with the children. In the admission process the same kind of attention will be paid to children to get them into the program.

Mr. McClellan: Surely it is inappropriate to continue to use this network of services for children when there are supposed to be a number of programs under the auspices of the Ministry of Community and Social

Services which would be community based programs that ought to be able to accommodate each and every developmentally handicapped child in the province.

Hon. Mr. Timbrell: That is where I have to defer to the Minister of Community and Social Services to deal with the question of the availability of schedule two facilities. The ideal would be—I guess this is where I started from several years ago in trying to resolve this—that the whole thing should just be moved over.

That did not prove to be feasible. We did get a concession or an acknowledgement that along the way it may turn out, once the assessments are done, that some facilities are so overwhelmingly populated by persons who would otherwise be in schedule two facilities that that should become a schedule two facility under ComSoc and move out entirely from under anything to do with the Ministry of Health.

As you realize, until the whole matter is resolved our role in this is to provide for the nursing and personal care of these individuals. I guess physiotherapy comes into it too, but it is essentially our role.

Mr. McClellan: I am not sure that my concerns have been resolved. I suppose I will have to pursue them with the Minister of Community and Social Services when we get there.

Hon. Mr. Timbrell: Is it really a question of whether there are enough schedule two facilities?

Mr. McClellan: Not just schedule two facilities. We are not interested in the development of a series of many institutions to replace the large institutions. We are interested in the development of community based services that permit normal community living, to use the government's own descriptive phrase for the program.

That is not the development of a network of many institutions. That is the development of a network of small group home facilities that are attached to a central resource facility of some kind. Ideally it is the development of sufficient support services that children are able to stay at home with their own parents and receive the support they need to permit that to happen.

The other matter I want to pursue is a particular question of—I hope I have the right name—the Brantwood Sanatorium. Do you know what I am referring to? Am I calling it by the right name?

Hon. Mr. Timbrell: That is right.

Mr. McClellan: The minister may be familiar with this. It is an example of ludicrous jurisdictional confusion. Part of the facility is a Ministry of Community and Social Services schedule two facility. Another part of the facility is a Ministry of Health home for special care. The third wing is a chronic care hospital. Each of the three wings has retarded people. Only one of the wings is funded at a rate sufficient to provide rehabilitative and therapeutic services.

If you have visited this institution, you will know it has an excellent and very caring and dedicated staff who are trying to provide a comprehensive program for all the residents under impossible conditions, at a per diem rate in the home for special care and in the chronic care hospital that is simply ludicrous.

3:50 p.m.

I raised this with the Minister of Community and Social Services about a month and a half ago. He indicated there would be an announcement very shortly. The announcement has not come. Perhaps the minister could make the announcement to us today and it ought to be, very simply, that that facility will become a schedule two facility.

Hon. Mr. Timbrell: The chronic component is part of the overall rationalization of health services within the county and the announcement to deal with that will be out within a couple of days. Essentially, I think it should resolve your concerns and their concerns at Brantwood. The administrator of Brantwood was one of the leading forces in the county in keeping everyone on track and developing a rationalization proposal for Brant country.

Mr. McClellan: I have a final question. Prior to the finalization of the March 20 policy statement and as an aid to the inter-ministerial discussions, was there an inter-ministerial committee that was studying the question and, if so, did it issue a report? If it did, would you table it?

Hon. Mr. Timbrell: There is an inter-ministry task force which became part of the cabinet submission so, therefore, I am not free to table it. It is part of the cabinet submission.

Mr. McClellan: There are precedents. If you want to table it, you can table it. There is the interministerial task force on residential services and any number of other documents. I think it is in the public interest to table this document so we have the fullest amount of background information.

You are asking us to support your program. It is in response to a scandalous situation.

There is no other way to describe it. We have about six pages of background information. I suggest that is not sufficient and I ask you to think about it, perhaps consult your colleagues and hopefully release that document so we can have a full understanding, with you, of the implications, the problems, the difficulties and the nature of the enterprise you are undertaking.

Hon. Mr. Timbrell: You might want to put the question to the Minister of Community and Social Services because, in my understanding, the MR program is his program. My understanding of policies that have been followed around here, as long as I have been here, is that anything that is a cabinet document or forms part of a cabinet submission is not released. I will draw it to his attention because it really is his program.

Mr. McClellan: I have one other question. You may not know the answer to this, but in the process of doing the assessments, particularly of the children, is it your intention to determine how many children are blind or deaf or a combination of deaf and blind as part of the assessment process?

Hon. Mr. Timbrell: All physical disabilities.

Mr. McClellan: Who is doing that very specialized assessment? Who would be doing the blind and deaf assessments?

Hon. Mr. Timbrell: The physician member.

Mr. Breaugh: I want to raise a couple of matters under this. We have had a lot of discussion in this committee about hospitals and institutional care and ratios and what not, so I have set aside a number of those concerns.

I want to go back to get an update on a little company that seems to be doing well by the name of Naus and Newlyn of Canada. The last time I looked at those boys, they were in the way of a little better than \$7 million throughout the system. Do we have an update on precisely what expenditures are going to that one firm? No?

How about in one hospital, good old Peel Memorial Hospital? What is going on with the dispute between that hospital and this firm? The last time I looked at the file, I think they had taken something in the order of \$290,000-plus as a fee on the guarantee that if they did not produce equivalent savings, they would not get the money. A little slippage had occurred, in that they had not generated that kind of savings. The hospital was looking to get at least some of its money back, but the money was not being returned.

Is there any update on that situation?

Hon. Mr. Timbrell: My understanding is that this firm does an initial survey, without charge, and indicates to the hospital the range of savings it thinks is achievable. Then the hospital board, on the advice of administration or whomever else they want to consult, indicate whether they want to go further or not.

I understand that this company did an initial survey. I am not sure what the board told them, but it was agreed what would be the next step. They did want the company to go ahead.

What we have now is a dispute between the administration and the board on the one hand and this company on the other hand, over whether the hospital was prepared to implement at the next stage what they had agreed on at the end of the survey. So it is a matter strictly between the hospital and the company as far as I am concerned.

Mr. Breaugh: As far as you know, Peel Memorial Hospital is still out the \$292,000 or the \$293,000?

Hon. Mr. Timbrell: That is in dispute between them and Naus and Newlyn of Canada. I know that hospital visited other hospitals in the province which used the same firm, such as the Greater Niagara General Hospital, and were told that savings had been realized on the basis of the initial survey and the agreement by the hospital to proceed. It really is an internal matter between the hospital and that firm.

Mr. Breaugh: So you don't have anything to do with this at all, despite the fact that when I asked the Premier (Mr. Davis) about this, he said that you and the Premier's office would look into it?

Hon. Mr. Timbrell: We did. That is what I am telling you.

Mr. Breaugh: That is what you found. So in the Premier's own riding, that little hospital can get nailed for \$292,000 or \$293,000?

Hon. Mr. Timbrell: It is a dispute in which either side may well take the other to court. I don't know; I don't want to make a judgement. It really comes down to what was agreed upon and whether one side or the other failed to do what they had agreed to do. It is a dispute between them and they are going to have to resolve it.

Mr. Breaugh: I know you certainly would not recommend a particular private firm like this to do the work. However, did that hospital use this firm of contract consultants as the result of appealing their budget and being advised by the ministry that if they sought outside consultant assistance in mak-

ing cuts, you would be prepared to consider their appeal?

Hon. Mr. Timbrell: I believe so. There are a number of others who did not appeal, but who also engaged consultants or the Ontario Hospital Association last year.

Mr. Breagh: But in this one my information is correct. The initial reason for their seeking an outside consulting firm developed from discussion of their budget with your ministry. You informed them that if they were prepared to use consultants, you would consider further appeals.

Hon. Mr. Timbrell: Yes.

Mr. Breagh: Your current position is that this small shortfall of \$292,000 is not a concern of yours.

Hon. Mr. Timbrell: No more than if they had had a dispute with any other supplier of goods or service.

We asked the hospital to submit to us the terms of reference for the Naus and Newlyn of Canada study, and they have yet to send them to us, apparently. Really, as near as we can determine, it is a dispute between the provider and the purchaser of a service as to who agreed to do what and who did what.

You say the hospital will be "out" this money, but there are a number of programs they put in place, apparently, that have effected savings, and those are ongoing. Those will repeat year after year, whereas any fees that they paid are a one-time investment.

Mr. Breagh: Are you aware of whether or not the hospital, on its own initiative, would have used this consulting firm or any consulting firm?

Hon. Mr. Timbrell: Some have done; some do.

Mr. Breagh: This one.

Hon. Mr. Timbrell: I don't know.

Mr. Breagh: Does anyone on your staff know the particular circumstances?

Hon. Mr. Timbrell: I think the question is whether they would use any consulting firm. I suppose whether it is a school board or a hospital board or whatever, if somebody is not, say, keeping the squeeze on, then a lot of them would not. I would not want to make a judgement as to whether this would be one of them.

4 p.m.

Mr. Breagh: Let me try just one more time. Not one of those you have brought with you into this room is prepared to say that the hospital used outside consultants at your or their instigation?

Hon. Mr. Timbrell: I already said that it was part of the appeal process. We told everybody who came in that they had to have some external evaluation. Whether it was private sector consultants or the Ontario Hospital Association cost effectiveness group, they had to have some review of their existing operation to try to identify whatever potential savings were there.

Now I bet your next question was going to be, "Would this hospital have done it if we had not made that proviso?" The answer is I don't know. Obviously there are a number of hospitals that did not appeal last year and did not use outside consultants. Does that mean they are all overfunded? I doubt it.

In these times, whether it is a hospital or whatever, I think it is good business to have some kind of outside evaluation. That is why the OHA came to us a couple of years ago and made the proposal for a grant, which we gave them, to develop their own cost effectiveness program.

Mr. Breagh: Let me see if I can clarify this. In the particular instance of Peel Memorial Hospital, is it reasonable to say they used those consultants, or any consultant firm, at the instigation of the minister? Is that reasonable to say?

Hon. Mr. Timbrell: It depends on what you call instigation. We said, "If you want us to consider an appeal for additional funds, you have to have an outside evaluation of your current operation to identify potential savings." Then the decision of which way to go—whether to the private sector, and if so, to whom—or to the OHA was theirs.

Mr. Breagh: Okay. I find it interesting that initially the question of the possible use of consultants, in order to have an appeal of their budget, wasn't really their own idea. They had to use them; and that was at the instigation of the ministry.

Hon. Mr. Timbrell: I have never quite figured out from all these questions you have asked of us over the last year or so, whether you are against cost effectiveness or not. Assuming that you are for value for dollar spent in the public sector, then I would think that—even in a place like Saskatchewan—it would be interesting to have some kind of evaluation of whether money is properly spent. That is all we are doing.

Mr. Breagh: So in the Premier's own little bailiwick there, that little hospital—

Hon. Mr. Timbrell: Let's talk about the minister's own little bailiwick.

All of the hospitals in and around the minister's bailiwick, if you want to use that

word, who have at any point asked for additional sums, have had to live with exactly the same requirement. They were put in the position by the ministry of having to show that they are squeezing out of the existing operation all the potential savings. They have engaged consultants and/or—as in the case of North York General Hospital—gone through a zero base budgeting program, which was at their initiative entirely.

So it doesn't matter whether it's Oshawa General Hospital in your bailiwick, Sunnybrook Medical Centre in mine, or Peel Memorial Hospital in the Premier's. The policy applies across the province.

Mr. Breaugh: I do understand your reluctance to deal with the specifics of this.

It seems reasonable, then, for me to assume that at the beginning of the process of whether or not they would use consultants, the ministry did have something to say. It also seems clear to me that they used consultants at the instigation of the ministry, and that they are stuck with a \$292,000 bill. They are unhappy with the services that have been provided because the savings have not been generated. Yet when we get to this stage the ministry has nothing to do with the process.

Is that a fair summation?

Hon. Mr. Timbrell: The contract, the relationship, is between the hospital and their consultant.

Mr. Breaugh: So you don't have anything to do with it now?

Hon. Mr. Timbrell: We don't tell the consultants what to report, and we don't tell the boards what to decide.

Mr. McClellan: Do you give them a list of suggested consultants?

Hon. Mr. Timbrell: No, we don't suggest consultants.

Mr. McClellan: You never do that?

Hon. Mr. Timbrell: Do you mean have we said, "Take Peat Marwick Limited," or, "Take Naus and Newlyn of Canada or Woods Gordon as management consultants"? No, we would not do that.

Mr. McClellan: Not a particular consultant, but a list—

Hon. Mr. Timbrell: They ask for a list.

Mr. Breaugh: Do you provide them with a short list of—

Hon. Mr. Timbrell: We give them a list of consultants.

Mr. McClellan: Did you give Peel Memorial Hospital a list?

Hon. Mr. Timbrell: I don't know.

Mr. Breaugh: It is a kind of public service, is it?

Hon. Mr. Timbrell: I do not know whether they asked for one, but if they did they would have got one.

Mr. Bain: It is possible. If they ask for advice as to who is doing the work we tell them. We will give them as many names as we can.

Hon. Mr. Timbrell: Architects or suppliers or whatever.

Mr. McClellan: Did Peel ask for advice?

Hon. Mr. Timbrell: I don't know.

Mr. McClellan: But that is what I am asking you.

Hon. Mr. Timbrell: Perhaps Mr. Bain knows.

Who wants to take this on?

Mr. Bain: To my knowledge, no; they did not ask us.

Mr. Breaugh: Would anybody happen to know the size of the deficit of Peel Memorial?

Hon. Mr. Timbrell: In which year, 1979-80?

I am told that they have not yet submitted their figures.

Mr. Breaugh: Does anybody know if the Premier's office is doing anything about this?

Hon. Mr. Timbrell: I know that they have been discussing it with local people on an ongoing basis.

With respect, I think your conclusions are all wet. It wouldn't be the first time.

Mr. Breaugh: I have not drawn any conclusions about that. Since the minister himself drew the comparison that the hospital in his riding and the hospital in my riding did not get themselves into this kind of hot water, there might be a conclusion there. But I would not draw it.

I am going to use my prerogative as a local member to deal with a couple of local items.

Could somebody give me an update on the ongoing saga of the Simcoe Hall Crippled Children's School and Treatment Centre? For those of you who may not be as informed about it as I unfortunately am, this one is a classic. It is a school for crippled children in my area which has been in existence for better than a decade. The minister himself came to Oshawa to visit the school about three years ago, just near the end of August and announced funding—

Hon. Mr. Timbrell: Excuse me. I have been there twice; once three years ago and again about a year ago.

Mr. Breaugh: All right. He announced funding near the end of August. They had been waiting for some two years to get approval to build an addition to this school so that crippled children would not have to be taught in the basement of the school, which also serves a great many other purposes. There has been a great deal of discussion and surveying of other institutions.

The school is located on a flood plain, and they had already received permission from the local conservation authority to go ahead with the project. About the beginning of September, shortly after the minister's announcement, which came around the end of August, the conservation authority said, "We are not going to give you approval to build, because your previous approval has expired." Although initially, at staff level, they had said there would be no problem, a couple of days later they telephoned to say, "Yes, there will be a problem."

So they went through a long debate whether or not there would be a problem getting a building permit. They had a meeting with the local conservation authority. The matter was discussed thoroughly, and it was decided there would not be a problem and that they could get a permit. Three days later they got a call from the Ministry of Natural Resources, who said, "Yes, there is a problem."

The current state of this particular item, I am told, is that the crippled children's centre has been given a letter from the ministry confirming funding. Is that right?

Hon. Mr. Timbrell: Yes.

Mr. Breaugh: So they will have their funding no matter where it will go?

Hon. Mr. Timbrell: That is right.

Mr. Breaugh: Does anyone know about the site selection process? At the meetings I attended there was a committee to be struck. Several sites were looked at. I met with the local school board, and we identified several of their sites. Does anyone know if they now have a site?

Hon. Mr. Timbrell: It gets kind of involved. I think I should ask the staff who have been working on it to answer that.

Apparently in 1978 the Simcoe Hall Women's League took out a building permit which had an expiry date of September 1, 1979, not many days or weeks after I visited the centre for the second time.

Mr. Breaugh: About three days.

Hon. Mr. Timbrell: They decided not to reissue it.

Mr. Breaugh: Who did?

Hon. Mr. Timbrell: The authority.

Mr. Breaugh: All right. That is close enough.

Hon. Mr. Timbrell: I have the current status.

Mr. Breaugh: Good, we have a volunteer.

Hon. Mr. Timbrell: As for the financial part, it would be better for Dr. Dyer to speak to you about that.

Dr. Dyer: The board is looking at a 12-acre site on which there are currently two options. They are optimistic—we do not know why—that one of the options will be dropped. If it is, they will be putting an option on that site. The board is awaiting the outcome of that negotiation. That is all we know at the present time. They believe that will prove to be the site that they will get.

4:10 p.m.

Mr. Breaugh: The minister said the project would be two-thirds funded. Can you clarify what you mean by that? Are land acquisition costs included, or developmental cost? Or are you talking just straight construction costs?

Hon. Mr. Timbrell: Construction costs.

Mr. Breaugh: Just straight construction costs, which will make a difference. If you are able to expand a building which you now own, you have title to the property. You have paid the out-of-pocket costs for developing the new idea, the architects' fees, legal costs and so on, and in this case they visited a great many other institutions. All of that would be included and would not be an actual cost item at this point.

But to have to go to a new site involves the expense of the acquisition of property, the redrawing of plans, legal services and a great many other additional costs besides the straight building costs. Who picks up the tab for that?

Hon. Mr. Timbrell: These are part of your construction costs, so they would—

Mr. Breaugh: Some fees are.

Hon. Mr. Timbrell: The women's league will be picking up—

Mr. Breaugh: Let me pursue that a little more. Have you at any time entertained any acknowledgement that the reason for these additional costs really centre around these

buildings here and has not very much to do with what is now being called Simcoe Hall treatment centre in Oshawa? It is my early information that those additional costs are going to be substantial.

Hon. Mr. Timbrell: What was the question? Would we entertain—

Mr. Breaugh: Let me put it in your language.

There is going to be a whole bunch of money paid out that we had not anticipated paying out—at least in the order of \$100,000 and maybe upwards of \$1 million. We naive little folk in that community thought we were talking about raising additional amounts of money to put an addition on the existing treatment centre in Oshawa. It was all well in hand. After some little struggles back and forth, the funding was approved by the minister. The minister did announce it.

I think you are saying we do not have to go through that entire process again, but the hard fact of life is we are looking at a lot more money than we were originally looking at. That we now have to go out and raise these large additional amounts of money has been caused, really, by people here at Queen's Park. Is there anybody in your ministry or in the Ministry of Natural Resources who acknowledges that the government ought to pay all, or at least a portion of, those additional costs?

Hon. Mr. Timbrell: We are restricted by our legislation to paying a portion of the construction costs. We have stretched that sometimes, and in this case we would stretch it, for instance, to include any fees they have paid out on planning the project that had to be abandoned. We would throw that in so they would not be stuck with architects' and engineers' fees for that.

But we are not permitted to cover some of these costs that have been brought on by the rules of the conservation authority pertaining to flood plain lands. We do not have the authority to pay that.

Mr. Breaugh: Let me see if I am clear on what you do have the authority to pay for. Do you have a dollar amount? Did you put a dollar amount in the letter?

Hon. Mr. Timbrell: No. We do not know what their costs will be.

Mr. Breaugh: But you are prepared to provide funding for two thirds of whatever the cost of the new building might be?

Hon. Mr. Timbrell: That is right; including the planning fees and, as I said in this case, stretching it to include the planning fees associated with the abandoned project.

Mr. Breaugh: Then you are prepared to accept responsibility for any expenses incurred—with some limits, of course—up until now?

Hon. Mr. Timbrell: Yes.

Mr. Breaugh: Have you resolved that?

Hon. Mr. Timbrell: As to the actual amount?

Mr. Breaugh: Yes.

Hon. Mr. Timbrell: I believe so.

Mr. Breaugh: There is a lot of shaking of heads. Does that mean no?

Hon. Mr. Timbrell: I am told they have not been submitted.

Mr. Breaugh: They are not at the stage where they are prepared to give you an estimate of the whole cost that has been incurred.

Has anybody on your staff approached any of the other ministries? Since you say you are not culpable, have you approached anybody else, in the interests of fairness, to make some effort to cover additional costs?

Hon. Mr. Timbrell: There have obviously been discussions on the whole issue with the Ministry of Natural Resources people and the conservation authority, but to my knowledge there have not been any discussions about their assuming some form of liability.

I have no doubt that once we know exactly what the additional costs are going to be the women's league will try to arrange some kind of a settlement with the conservation authority on the basis of a land swap, or something like that. But at this point we have not approached MNR and said, "Will you pick it up?"

Mr. Breaugh: Have we been able to identify in all of this who might be considered to be responsible for such costs?

Hon. Mr. Timbrell: The costs of the land are the responsibility of the applicant. In any project the cost of the land is the responsibility of the hospital, centre, or whatever it may be. We share in the construction costs and, obviously, the operating costs.

Mr. Breaugh: All right.

Hon. Mr. Timbrell: It was pointed out to me that we did make representations to try to alter the flood plain rules to obviate the need to move—obviously not successfully.

Mr. Breaugh: On the basis of the fact that the conservation authority on two occasions when I was present said they would grant a permit to build, has anyone identified the

agency responsible for the reversal of that decision? Is the answer no, yes, what?

Hon. Mr. Timbrell: No.

Mr. Breaugh: Can we go two for three on that?

Dr. Dyer: In our meeting with the conservation authority there was quite a discussion about how the flood plain had been designated and about their concern over the fact that the culverts were not big enough to carry off the flood waters. This and the railway tracks were, as you know, the two barriers.

Everyone was convinced that these looked to be the first answers, but the final answer was the backup from the lake—the flooding comes from the lake—so they persuaded the league, as a result of that, not just that the plan should be abandoned but that it might not be the best idea. They saw the possibility, if they did build on that site, of getting caught in a flood because of inundation by waters from the lake.

It did seem that the conservation authority was thinking of the best interests of the children, especially as they are crippled. I think it was a realistic decision, looking at all the arguments. It is not a question of whether to build on the site, but a matter of finding a site that really is safe for those kids.

Mr. Breaugh: It is interesting how a conservation authority, not once but twice, can decide that this site is safe and grant a building permit. In fact, the conservation authority as such has never refused this application. The chairman of the conservation authority, not being terribly happy with the ruling of this authority, came to Queen's Park to the Ministry of Natural Resources and managed to convince people here that the site was not a proper one, which we may or may not argue about. I don't think it is very profitable to do that.

The fact is that they did, as a local agency, get the approvals necessary at the time. Subsequent to that someone else down here, as yet unnamed because nobody knows who, decided this was no go and that another site ought to be found.

4:20 p.m.

The interesting question is when we get down to finding one site, no matter where that site is, we are sure we are going to look at rather large expenditures of money which we had not really accounted for. It seems only reasonable to me, since some mysterious person down here in Toronto made the decision it should not proceed—

and I am not quite sure it is fair to say the league itself decided it was not a safe site; they did not have much of an alternative; they were not going to get any money if they did not move off the site—that somebody down here is responsible for kicking in additional amounts of money.

The exercise I am trying to conduct this afternoon is to find who the hell is this person.

Hon. Mr. Timbrell: Having had some experience in dealing with the conservation authority in this area when I was on municipal council, I am sure, once they know the extent of their expenses, there are going to be some pretty hard negotiations between the conservation authority and the league over this. I am told, for instance, that one of the things the conservation authority asked them was to see if they could get insurance on the existing site and they apparently reported they could not.

I was told that the feeling in Natural Resources was that given—

Mr. Breaugh: I could not get flood insurance on my house for below ground level even though I am at the top of Apple Hill and the elevation is about 800 feet above the nearest creek, because nobody will sell you that kind of flood insurance.

Hon. Mr. Timbrell: But given their location, which is a long way from Apple Hill—

Mr. Breaugh: Even if it was up on Apple Hill, even if the thing was on stilts or a flag pole, you could not get that kind of insurance because nobody sells it.

Hon. Mr. Timbrell: Being built on a flood plain, apparently they found that overall they had a problem with their insurance. I guess properly the question should be addressed to the Minister of National Resources (Mr. Auld), but their feeling was, particularly with the flood experience of this spring which they did not have at the time the matter started last fall, they would be negligent if they allowed it to go ahead. That is apparently their feeling. That being the case, we are looking for another site.

Mr. Breaugh: Oddly enough, we did have some flooding this spring in our area off this watershed and I took it upon myself to visit the site when the flood crested. The flooding at that time was 20 feet from the building. Even though in other parts of that same watershed they flooded out highway 401, on that particular site the water came no closer than 20 feet to the nearest building. It never did approach their property at all.

Hon. Mr. Timbrell: But the original approval on this project was to correct damage caused by flooding in the basement of the building.

Mr. Breagh: The basement of the building?

Hon. Mr. Timbrell: Yes.

Mr. Breagh: And the purpose of the exercise was to get all of it out of the basement.

Hon. Mr. Timbrell: That's right, there are kids in the basement. They have an elevator in the place but that does not help much if you have crippled kids. So it has flooded.

Mr. Breagh: No, as a matter of fact it has not. There has been seepage into the basement but there has not been what you could properly call a flood of the site. Water has not covered the surface of the land.

Hon. Mr. Timbrell: It was sufficiently serious to lead to a proposal to add on, to get the kids out of there, because of the concern of flooding.

Mr. Breagh: No, that was not the prime motivation behind that. There has been a continuing problem with the site itself. It was, after all, a school which was taken over and they have never really done full alterations to the building site. So we do not know who caused this to happen; we do not know who was culpable.

Hon. Mr. Timbrell: We know it was the Ministry of Natural Resources. My understanding is that both the provincial and federal governments—I am not sure what the feds had to do with it except perhaps the harbour commission—believe it to be flood plain land and in Ontario you cannot build on flood plain land.

Mr. Breagh: That is not quite accurate. In Ontario you certainly can build on flood plain land but you need a permit from the local conservation authority to do so, which this group had received twice.

Hon. Mr. Timbrell: And was rescinded.

Mr. Conway: The Lorne Henderson Memorial Conservation Area Authority.

Mr. Breagh: Let me leave this, because I am obviously not going to get much of an answer, with the plea that your ministry maintain its commitment to fund this particular project and whatever you can do to see that some fairness is put into the process would certainly be appreciated by a great many people, me included. I certainly wish I could identify who it was that put the kibosh on this process and who is respon-

sible for picking up the additional funding which will be necessary, because it was not the conservation authority per se. I happen to have been there and saw what happened.

Hon. Mr. Timbrell: We have given our commitment for our two thirds and obviously they will be operating. But I take it your view is that we should go ahead and build on the existing site.

Mr. Breagh: I am quite prepared to have the ministry down there, either yours or someone else's, the Ministry of Natural Resources or whoever, and say the school ought to be moved off that site.

If that is the case, there have been four years of preparation and delay on one idea, on one site which has now been moved to another. You played a role in all that paper flow going back and forth and in the visiting when your ministry took them around to different centres in Ontario to look at different kinds of sites.

In the process of taking a project which was originally thought of four or five years ago and put in this form and is now at about the same place it was then, back at square one, there are going to be substantial increased costs to the project. It strikes me it is only reasonable that one of the ministries here accept part of the liability at least, if not all of it, for the delay of the project.

For example, if the ministries here, the Ministry of Natural Resources and the Ministry of Health, and the local conservation authority had said four years ago, "This is not an appropriate site upon which to build a crippled children's treatment centre," everyone would have gone off and found a new site at that time. That would have been seen to be fair by everybody involved. But to let it go through the process for that length of time and at the end of it say, "You have to build it somewhere else," strikes me as being not fair.

Hon. Mr. Timbrell: We are not in the business of granting building permits. They had a building permit or development permit, whatever is the proper title.

It is not entirely bleak, in as much as—maybe you could correct me if I am wrong—at one point the conservation authority did offer to buy the existing site and/or swap land for a site somewhere else in the city—

Mr. Breagh: We should be specific. The authority per se did not do that. The chairman of the authority made that kind of an offer.

Hon. Mr. Timbrell: Presumably he must have had some authority. I understood though

the league found in accepting the alternative site they had, for reasons of access and transportation I guess, several problems. It sounds to me as though the authority is prepared to do something; at least the chairman, representing the authority, is prepared to do something.

Mr. Breagh: Yes. Let me finish this little segment by saying I don't really care who did it. I don't suppose we will ever find out who did it. But the fact remains that a project which should now be built doesn't even have a site yet. It has incurred costs over about a four or five year period which are, in my view, substantial. Obviously, it is going to incur much larger costs to build an entire new facility than it would to put the add-on at the current site. So the rules have changed substantially and what is worse, the dollar amounts are changing a lot.

I think we can go a long way towards solving the problem if we can get some assistance in the funding of the project on the basis you have outlined and if we can find someone who is prepared to acknowledge that the government at Queen's Park, in all its shapes and forms, caused a few problems for this little local organization which was simply trying to provide a good treatment centre for crippled children, and that it ought to provide some assistance now because you really have changed the rules of the game and you certainly have altered the dollar amounts a good deal.

If we find people who are prepared to assist in that process, I think we will all go away happier. We will have a better site, probably, and we all admit to that. We will have the kind of treatment centre we want and we all want to preserve that. It may become a matter of dollars though. It is not an easy matter to raise that kind of money.

Hon. Mr. Timbrell: Do you have any idea of the estimated cost of the land they are looking at?

Mr. Breagh: It is a little difficult to do that because they are looking at two sites and I don't know the precise sites they are looking at. I believe both are now in public ownership in one part or the other. It will depend on two or three variables. They may be able to come up with a reasonable site acquisition program. But then again, they may not. They don't know.

4:30 p.m.

Hon. Mr. Timbrell: Let's take a look at it once that's—

Mr. Breagh: The one bit of time I wanted to spend on this particular vote, since we

have looked at so many other aspects of it, was to look at the total concept of the provision of all the services that come under this vote, not from the perspective of the ministry or an agency like the Durham regional health council but from the perspective of someone who needs to use one of these things.

One of the phenomena I am finding in my area is that if, for example, you are 65 years of age or over, and in need of some kind of care, at whatever level—we used to have a very fine agency called Hillsdale home for the aged. It used to take a lot of people in. There has been quite an expansion in the number of senior citizens' apartments in our area. There are a couple of rather large private nursing homes and a number of smaller private nursing homes in adjacent areas. What we are finding is that Hillsdale has a list of 303 people waiting for admission.

If you are not familiar with Hillsdale, it is a home for the aged that provides extended care services so there are a variety of services available. It has some excellent staff and some very good programs. It is very strongly connected with the community. It is an ideal place to go if you are not feeling too well or if you have a serious physical ailment or if you might deteriorate to that point.

We are now going through the stage where there is quite a backup in the process. Hillsdale cannot accommodate anywhere near the number of people. There is a need for a new home for the aged in the area. The region is identifying that and is looking at sites. Apparently there is no money available from the Ministry of Community and Social Services.

The major private nursing homes located in the city are also rather full and we are finding the phenomenon there that private nursing homes don't particularly want to take people who need care. They want people who are pretty ambulatory and need a minimal amount of care. So there is a bit of a backup there.

The ancillary—if I could call them that—private nursing homes in surrounding areas such as Bowmanville, Whitby or Uxbridge are not exactly the most desirable places to go from a number of points of view. So what is happening to people who fall into that initial category I described, over the age of 65 and needing some care, is that their options are running out.

Now a couple of years ago you complicated the problem by shutting down beds in the hospital. You alleviated that problem somewhat this spring with an announcement of 42

chronic care beds. How quickly might we anticipate that somewhere in this system of providing services there will be a major break, because obviously that's what we need? Some people's problems will be solved by the 42 beds, but it doesn't go very far toward dealing with the large number of people who want to get into one of those places in the system.

I understand not all of this is within your ministry, but you could cause a major breakthrough in providing that kind of care situation, either in your own ministry or, for example, in ComSoc. How closely do you work with ComSoc, for example, in saying to the Ministry of Community and Social Services, "Well, if we could line up one of two or three options, whatever they might be, to provide the region with funding to establish another home for the aged in the area, that would alleviate problems of beds in a hospital that are improperly used or places in a nursing home which are not exactly the most ideal situation"? How do we break the chain in the system?

Hon. Mr. Timbrell: First of all, ComSoc's problem is a lack of capital or a lack of sufficient capital, to meet all the demands they have on them, but they should be allowed to speak for themselves. The approval to proceed with 42 additional chronic beds at Oshawa General Hospital arose out of some interim recommendations coming from the district health council in their hospital role study of the six hospitals in the region. I have no way of knowing what their ultimate recommendations are going to be about roles and numbers, except that obviously it is a growing region. As we discussed yesterday it had been running at a 60 per cent occupancy. Looking to the future there are bound to be more beds called for.

Did they recommend anything with regard to the nursing home beds in the initial report? They have recommended 60, 40 in Oshawa and 20 in the Uxbridge, Port Perry area. There is a possibility of a further 60 which would again be nursing home beds. These are based on the health council's recommendations. We will have that answer in a month or two.

If you are asking about acute care beds, then I would say we are a number of months away from even receiving the health council's report on what they propose. I think they are looking at 10 years ahead, based on what they know from the regional approved plans and projections of the needs in the community. If we are able to get the other 60,

then that will go a long way to relieving the pressure.

Mr. Breaugh: I admit that I fall into this same trap from time to time as well because I have at least some superficial understanding of the jargon and the way the system works. In some weird and wonderful way I am almost at the point where I understand the system. So it seems logical to me that the minister would respond, "I am waiting for the district health council to say something," or, "They have recommended 60 beds and we have announced 42 chronic care beds in the Oshawa General Hospital."

The thing that bothers me most is that I am almost afraid I understand your system. But from that other perspective, of someone who is a citizen in Ontario who needs some kind of care, whatever it might be, there is not a snowball's chance in hell that you can explain this to them and make any sense out of it at all.

They look at the Oshawa General Hospital and they see empty wards. They look over at the Doctor Joseph O. Ruddy General Hospital and they see a couple of floors over there which have never been used. They want to know why there is not then a place for them to go. There is no way you can explain in any satisfactory sense at all how this system works; how the allocation system works; what the difference is between a chronic care bed in a hospital and an extended care bed somewhere else. It is incoherent.

Could you help me at all?

Hon. Mr. Timbrell: I do not find it any easier to explain why there are waiting lists, although I think on balance most people understand there are peaks in demand and you do not design the system for the absolute peak. There has to be some allowance for the fact that there is some balancing or evening out of the peaks, which means inevitably that some of the demand has to be spread out into other periods.

Most people have enough common sense to realize too that you are dealing with the kinds of facilities that (a) are very expensive to build, and (b) even more expensive to operate. Building them is simple.

Mr. Breaugh: That is the cheap part.

Hon. Mr. Timbrell: That is the very cheap part. It is operating them for the next 50 years that is the expensive part. It is not always possible to keep up with the demand. That is not to equate to need because, as you know, we have found, when we start talking about the health service organizations, we get into the fact that in many areas we have

shown that hospital utilization is much less, and in others could potentially be significantly less with a different emphasis in the provision of medical care. Demand and need are not necessarily the same thing at all.

Still, when we as politicians, for 35 years have been leading people to expect that all they have to do is demand and it will be provided, it is difficult to explain it. Sometimes there will be waiting lists and at other times we will be behind in provision of needed services, but that does not help you very much.

4:40 p.m.

Mr. Breagh: The usual amount of help. Let me put a couple of other perspectives on it. The region operates a place called Fairview Lodge in Whitby. Aside from the initial problem which I always have when trying to convince people from Oshawa they ought to go to Whitby, that institution had an outbreak of salmonella last year.

Hon. Mr. Timbrell: Which one was that?

Mr. Breagh: Fairview, in Whitby.

Hon. Mr. Timbrell: Is that the home for the aged?

Mr. Breagh: Yes, in Whitby. That poses one problem. There are ongoing problems which the region has had about sanitation and a number of other building problems at that lodge.

To try to convince them to move from Oshawa to Whitby is difficult. To try to convince them they have to go and live in a lodge which had a salmonella outbreak last year is a little more tough. Then when they read reports in the paper that there are sanitation problems in the same site, it is even more difficult.

Hon. Mr. Timbrell: But as you know, our problem at the Doctor Joseph O. Ruddy General Hospital has been convincing some local people and some local doctors in Whitby to use the Whitby Psychiatric Hospital.

Mr. Breagh: Yes. I wanted to go back to Ruddy for a moment because I had an interesting case a little while ago which, I think, typifies the problem there. We were able to find some of the chronic care beds in Ruddy, but then it involved some rehab and the rehab was at Oshawa General Hospital.

Hon. Mr. Timbrell: In the day hospital?

Mr. Breagh: Yes. How do we—we all use the word—rationalize the system? How do we rationalize that we would have somebody in a chronic care bed in Whitby who is expected then to get up and go to a day service for rehab purposes in Oshawa?

Hon. Mr. Timbrell: I do not know enough about the program at the Ruddy, the size of it—

Mr. Breagh: It isn't there.

Hon. Mr. Timbrell: I just don't know enough about the program. I can envisage, depending on the size, there may well be some kinds of services that require a patient load greater than what you have in a hospital. So you would have to pool. That is quite conceivable.

Mr. Breagh: Okay. So the answer to all this really is we sit down and we all wait until the Durham regional health council comes up with its study, and having done the one consultant's report now, makes some decisions and does some allocating of resources. Is that correct?

Hon. Mr. Timbrell: I am told there isn't a chronic unit presently at the Ruddy.

Mr. Breagh: No, it is not designated in that way.

Hon. Mr. Timbrell: They would need to take them as chronic care.

Mr. Breagh: That is right. That is the problem. There is no program.

Hon. Mr. Timbrell: When you say we, to be fair to the council on the whole process, they have given some interim recommendations. They have made some early conclusions and we are acting on them. Forty-two beds are approved; soon we are going after permission for the 60. And of course, as had been discussed yesterday, it is a question of the Ruddy's role, the council's role and Whitby Psychiatric Hospital's role and so forth. But be fair to them. They are not dragging their feet.

Mr. Breagh: No, not yet. I think one of the things we are caught on is that the implementation of the district health council in that area did put a hold on the natural progression of development of new facilities in the area. That is an unfortunate fact of life, but it is true.

Hon. Mr. Timbrell: It might even have advanced it in some respects.

Mr. Breagh: In some areas it might have. All right, I might accept that as an argument at least, but certainly in the city of Oshawa it did not. It essentially put a hold on several projects which by now would have been in place, so we are paying the price for the imposition of the health council. In the long run we may be better off with it, but in the short run, we certainly do not have in place facilities which in the normal process we would have by this time.

You are simply saying to the little old lady who comes into my office that she should wait it out?

Hon. Mr. Timbrell: I am not sure I accept that conclusion. There is imbalance. I think that by doing it on an overall regional basis, the council is probably ensuring—I know they are ensuring—better planning, more appropriate allocation based on whatever else is in the region is interdependent and can back up whatever they are proposing.

Their recommendation that 40 of the beds go in Whitby and 20 in Uxbridge and Port Perry—the nursing home beds I am thinking of—previously I would suggest the major population centre in the region would probably have had enough political clout with their end runs through to the minister's office, which is the way a lot of the planning used to be done, and that is where they would have ended up, not based on a rational analysis of demand and need. In the long run it ended up being a better provision. Whether it has delayed some things, I cannot say.

Mr. Breaugh: Unfortunately, we have just proved my point, that this whole system is virtually unexplainable to somebody sitting in your office who needs that kind of a bed placement now.

Hon. Mr. Timbrell: I am not suggesting it is easy to explain, given the size and complexity of it.

Mr. Chairman: I should indicate that we have two more votes to go and we are through at 5:35, that is to say we will be down to six hours remaining by that time. I alert the committee to that fact.

Mr. Blundy: Mr. Minister, I would like to talk to you about the active treatment beds situation. I would like to read this very brief article out of the Sarnia Observer dated May 27, 1980. That is just last week, a week ago yesterday. It is entitled, "Patients In The Halls."

"Patients forced to spend the night on stretchers in emergency department corridors because there are no beds immediately available are worrying the staff at St. Joseph's Hospital. Frank Baggato, executive director, said at a hospital board meeting Monday about 177 of the hospital's 234 beds are for active treatment, a situation which he called 'tight.' The situation becomes even more complicated when other factors such as sex, preference as to type of room or the various disciplines required, such as obstetrics or intensive care, limit where a person can be placed, et cetera.

"Dr. Brendan O'Leary, chief of medical staff, told the board a motion was passed at a recent medical advisory committee meeting indicating the staff's concern over the increased number of stretchers in the hall. 'The Health ministry plans to reduce the already diminished ratio of 3.75 active treatment beds per 1,000 area population to 3.5 beds per 1,000 in 1981,' he said, adding, 'Such a reduction would be quite detrimental to patient care.'"

I will not bother to read the balance of the article. This is a very recent situation that has arisen and after this was in the paper I phoned the executive director at the Sarnia General Hospital to inquire from him if the problem was the same in his hospital. He said their hospital is operating at capacity as far as active treatment beds are concerned and they have a very sizeable waiting list based on elective surgery or treatment.

This other little bit about hospital capacity was in the paper the week before and it said: "St. Joseph's Hospital continued to operate at full capacity with few empty beds in April. Frank Baggato, executive director, said Monday the statistics are following the same pattern that has existed since January 1980—reduced lengths of stay and higher occupancy levels each month."

It is easy for you and your ministry to say 3.5 beds per thousand is adequate and that in Sarnia-Lambton that should be the same. I am pointing out to you that it has not proved to be adequate over the last five to six months. It is not only just the winter period but throughout the spring as well.

I have more people who call me about not being able to get someone into an active treatment bed and complain about that than almost anything else. I try to point out that perhaps there will be a bed tomorrow and all that sort of thing, but it is really very difficult to try to explain.

4:50 p.m.

The ratios they are trying to achieve in that area are not sufficient for the number of people that are using the hospitals in the area. This is not just an isolated case; it has been going on since the beginning of the year. I would like to have your comments on that.

Hon. Mr. Timbrell: With respect, Mr. Chairman, the member is addressing only one part of the institutional sector out of the 80,000-odd beds in the province.

Mr. Blundy: What good is it to have 20 empty chronic care beds if you cannot get in for active treatment?

Hon. Mr. Timbrell: That is the point; you won't.

When I was last in Sarnia—I saw you the morning I was there—I spoke with some of the members of the health council and representatives of the hospitals. We discussed their review—which I was already aware they were doing—of their total bed needs; not just acute care, because that is only one part of it. Of the approximately 80,000 beds in the province, 35,000 are acute care and the balance are chronic, rehab and extended care.

There are a number of things that impact on this. A significant factor is the whole question of elective surgery and utilization. That is something, the amount of elective service being performed and the types, over which ultimate control rests with the medical profession. There again I would only point out that in places like Sault Ste. Marie and in other areas where we have alternatives in place, rates of utilization lower than in places like Sarnia are the norm.

When we announced that we were moving to 3.5 acute care beds per 1,000, we indicated that it would be done over three years; that it was not going to be done with the drop of the sword of Damocles. We also announced that the standards for chronic and extended care beds, which previously had been the maximum levels, would from that point forward be the minimum levels.

The reason for this is quite simple. A utilization review is under way in Sarnia, but if you have looked at any of the utilization reviews that have been done elsewhere in the province usually at least 15 per cent—I have seen studies that have indicated as high as 40 per cent—of patients in acute care beds are not acute patients. They are, in fact, chronic or extended care.

If you have 10 beds that are funded and staffed for acute care, but are actually being occupied by chronic care or rehab patients or whatever, whose needs are quite different and are not being met if they are in units and wards that are set up for acute care, then for 10 beds you are spending about \$1,500 to \$1,800 a day.

For that same amount of money you could operate about 30 chronic care beds or about 50 nursing home beds. When we get into this it is not a question of cutting, but rather of using this ratio as a planning tool to force, right across the province, a rationalization through the levels of care, thus actually

getting more for the same money; even though we end up having to put more in.

In other communities we have added, once the analyses have been done. We just finished talking about Oshawa and Durham region where we have added chronic beds and where we hope we are going to be adding nursing home beds if the application to Management Board of Cabinet is approved.

All I can say is, in Ottawa, Timmins, Pembroke, and right across the board, your community will be treated the same when the analysis is finished, which I do not think is going to take a long time. It will depend on that. That's why we made provision.

This year we indicated that we have approval for 600 nursing home beds. We didn't put a figure on chronic care beds, but we have added chronic where the local analyses have proved the need. We have been able to get approval from management board, so we will be adding in that area.

I think you will recognize you must have some kind of standard. Over all, our total institutional beds represent close to 10 beds per thousand of population, taking the total population as a whole against the total number of institutional beds. I don't think we have to be ashamed of that in any way.

In addition, we have programs such as home care and chronic home care, home care universal, chronic home care becoming universal, that take a lot of the pressure off those hospitals.

Much of it really is in the hands of the physicians. That is not to point any fingers, but I think in the next five or 10 years, we really have to come to grips with this business of elective surgery and utilization. There is a lot to be learned from the health service organizations we have already funded about the level of hospitalization that is really required.

It amazes me when I look at the figures. I can't quote them just off the top of my head, but in Canada we tend to have about double the rate of hospitalization of most Americans. Anyway, it is very much higher, in some cases three and four times higher, than in some areas where they have health maintenance organizations in place.

Now people argue that in the United States so many people have to pay that they get out faster; I don't know if that holds water when you get right down to a complete analysis of the situation. We do tend to use hospitals a lot more in Canada than in most other jurisdictions, and a lot more than is really needed.

Mr. Blundy: There is one other point I would like to put forward, Mr. Minister. Sarnia and the western half of Lambton county is not a depressed area. We are expanding all the time. There are at least five major industrial projects now under way or about to get under way.

Mr. Conway: The new conservation park.

Mr. Blundy: The point is our population is not falling off; it is growing a bit all the time. I think really we have to look at this situation very closely. It is one thing that people do get after me about.

Hon. Mr. Timbrell: Right. But, you know, we do adjust annually with the revised Treasury population figures and the revised actual utilization figures. So, each year, we do step that up. If you are in a growth area like that, or in one in which it would be more significant, such as Mr. Breaugh's case, or Peel or York, say, it is advancing year by year.

Mr. Blundy: I really don't think you can blame it on the doctors. Their patients must be ill.

Hon. Mr. Timbrell: No, I am not blaming it on them specifically. I am saying that one very significant factor is the degree to which the profession in a given area is in the habit of prescribing elective surgery. We all know, and knowing it doesn't make it any easier to cope with, that in North America there is an awful lot of surgery carried out that is totally elective and in the final analysis is probably totally unnecessary. I am not trying to pin the blame; that is why I said I am not pointing a finger. But I am saying that is a significant factor.

Mr. Conway: I would like to hear you say that to the Ontario Medical Association convention.

Hon. Mr. Timbrell: We look at communities like Sault Ste. Marie and see that the utilization is much lower but the people are just as healthy.

Mr. Blundy: I will keep my eye on it and keep you abreast of the situation, Mr. Minister.

Mr. Ruston: My complaint is somewhat similar to Mr. Blundy's. I have what I feel is a very serious situation. I am not sure that it, and possibly other cases like it, have been dealt with properly.

My problem is where a hospital discharges a patient who has been approved for extended care in a nursing home. The hospital discharges him to a so-called lodging home,

which can be anything. It can be a bed in a basement or an attic or someplace.

Hon. Mr. Timbrell: The person doesn't have a home of his own?

5 p.m.

Mr. Ruston: That's right. The hospital sent him out into a lodging home, into a basement room. His family found out about it that evening or the next day and went to the lodging home. The patient had a severe case of emphysema, and the moisture was very heavy. As I said, the room was in a basement part of the house. So they removed the patient from the lodging home on their own initiative, had him admitted to another hospital a block and a half away, and he passed away the following day.

In a case like that, I really think it's time someone started asking for an inquest to see what the hell is going on. I have had more than one case like that. I expect the first thing you are going to say to me is: "Who are they? We will look into it." I am not prepared to go that route in a case that happened six or eight months ago. I want to know what we are going to do in the future. If it is going to be policy to kick somebody out of a hospital—

Hon. Mr. Timbrell: It isn't.

Mr. Ruston: It is. It is going on. You can say it's not, but it's going on. Maybe it's not going on in Toronto, but it's going on in Windsor.

Hon. Mr. Timbrell: Mr. Ruston, there are 80,000 beds occupied today, and I don't tell the doctors how to treat the patients in those 80,000 beds.

Mr. Ruston: I'm glad you mentioned that you don't tell the doctors. You said that to Mr. Blundy, too. But a lot of pressure is on the doctor to get that person out of the hospital, and I know what he is doing.

You must visit doctors. Have you ever sat down and had a cup of coffee with them? I lived across the road from one for 20 years; a real old family doctor, the type that did everything there was to do and was an expert in two or three things besides. He told me a lot about how a doctor has to work. But you can't tell me that there is no pressure on the doctor. I don't agree with you.

Hon. Mr. Timbrell: I agree. There is pressure.

Mr. Ruston: And he had more patients he wants to bring in.

Hon. Mr. Timbrell: It is common practice and always has been, although more so in the last five or 10 years, for the medical staff

to keep a regular check on how the members of the medical staff are using their hospital privileges.

They keep comparisons. For instance, they might have five doctors who do tonsillectomies and they will keep a check. If the average length of stay is three or four days and somebody is keeping his patients in regularly for eight days, yes, they get on his back. They say: "Why is that? You are tying up beds unnecessarily." There are waiting lists. The tissue committee will do that for everything that comes within their purview in the hospital.

A properly run hospital today must have a very active admission and discharge committee.

All I am saying—you asked me a question in the House a month or two ago, and I guess this is in relation to that—is I don't think any doctor would knowingly discharge a patient from hospital if doing that would put the patient in jeopardy. There are cases where medical judgement can be wrong. And you are right, it sounds as if perhaps in this case the family should be approaching the local coroner to ask for an inquest. Can you tell me whether that is indeed the case?

I can tell you that in your community last year there was no reduction in hospital beds; there was an increase in hospital beds, overall, in that Windsor-Essex community. Of course, we have approved more this year in chronic and nursing home beds.

Mr. Ruston: Probably the real problem is the nursing home bed shortage. In those two particular cases in which the patients were moved to lodging homes, they were both approved, and had been for some time previously, for nursing home care. But there were no nursing beds available, so they sent them to a lodging home. If there had been nursing homes available you would have got them out of the hospital, which is fine; it is high-cost care. And if the nursing home had had beds available they would have taken them.

Hon. Mr. Timbrell: As you know, we have approved 100 beds for Essex county. I suspect that once they are built and in place there will still be some waiting lists. There will still be a certain number of people waiting, either in their own homes under the care of the chronic home care program that is going to start there in a month or so, or in the Riverview chronic care unit, Grace Hospital, Hotel Dieu Hospital, or one of the other acute care units in Windsor. They will never totally wipe out the waiting lists.

I would be interested in knowing why the person was discharged to a rest home. I asked if he had his own home, and you said that the family found him in the lodging home. I would like to know why the person wasn't sent home if he had a family. That means there are a number of things you don't know, and I would like to know about it, but there—

Mr. Ruston: His sister removed him from the home.

Hon. Mr. Timbrell: The question is why wasn't he discharged into the care of the sister?

Mr. Ruston: That's what I would like to know too.

Hon. Mr. Timbrell: I will say again what I said to you in the House a month ago. I don't know of any physician who would knowingly discharge a person into a situation that would put them at risk.

Mr. Ruston: I don't suppose he would; not intentionally, I mean. But it can very well happen.

Hon. Mr. Timbrell: It can because medical judgement is not always perfect.

Mr. Ruston: But the thing that bothers me and these people is that they had both been approved for extended care coverage. As there was no extended care available for them, they had to be put someplace else.

Hon. Mr. Timbrell: I would like to think that once the 100 additional extended care beds are built and in place, or added to existing ones, there would be no more waiting lists in Essex county. But I know that's not true. We shall never totally do away with waiting lists.

Mr. Ruston: Another thing that Mr. Blundy mentioned is the case of patients staying in emergency for 24 hours until a bed is available. I know it is happening in Windsor. It happened in Windsor on Sunday of this week. Some people had to have surgery as a result of an accident and had to stay in the emergency room from two o'clock Sunday afternoon until some time Monday. They had surgery on Monday afternoon. With the commotion and so forth that goes on in an emergency room that just doesn't make sense.

You've got \$15,000 to send a character to race a car over in Europe and yet you don't even have a damned bed for a person in a hospital. Really, Mr. Minister, if I had the authority right now I would be tempted to cut your salary or use it to increase the budget. Then maybe we could get rid of—

Hon. Mr. Timbrell: That will operate half a bed for a year.

Mr. Ruston: Well, maybe it would; but it would help. It's half a bed, and that's more than we have now. You can go over and race a car in Europe for \$15,000—

Hon. Mr. Timbrell: Hold on. You used to be involved in health care insurance so you know probably better than anybody else around here, including the critics and myself, the fact about health care—and we discussed this the other day—is that you can literally put every nickel of your resources into health systems—

Mr. Ruston: Now that's going to extremes.

Hon. Mr. Timbrell: I'm sorry, but it is not going to extremes. When you consider the percentage of the provincial and federal budgets that presently go for health care, and then you consider the lists of budgets for capital and operating projects that had been requested but have not been approved, you could literally do that.

Mr. Ruston: You are putting less money in now than you were 20 years ago or 10 years ago, on a per dollar basis; you really are. You can talk, but in true dollars you are really putting in less.

Hon. Mr. Timbrell: I am sorry, you are absolutely wrong.

Mr. Ruston: No, I'm not.

Hon. Mr. Timbrell: Even if I showed you the figures you wouldn't admit it.

Mr. Ruston: Not the way you cook the books; I don't think so, Mr. Minister.

Hon. Mr. Timbrell: Well, there we are.

Mr. Ruston: Sure, 15 or 20 years ago I knew of people who would put an elderly person in the hospital for two, three or four months while the family went to Florida or something. When I was in the medical co-op I knew a lady who charged us for an ambulance to go to Windsor four or five times in one year. We finally realized she was using it as a taxi, so we quit paying. I know those things went on, but those are the ridiculous ones that can easily be checked. The real necessities we have to look after.

5:10 p.m.

Hon. Mr. Timbrell: Let's face it, 15 years ago you did not have a home care program, let alone a chronic home care program.

Mr. Ruston: They were kept in the hospital until they were better.

Hon. Mr. Timbrell: You did not have a unified ambulance system in the province;

you did not have a drug benefit plan in the province.

Mr. Ruston: But you didn't kick them out of hospital until they were better.

Hon. Mr. Timbrell: Even in those days, God forbid, they had waiting lists. If you talk to the people in my area who remember the Toronto East General and Orthopaedic Hospital when we had the days of the baby boom, they will tell you that for years on end there just was not the capacity and that women spent their entire stay in hospital in a corridor, 20 years ago. Isn't that awful?

Mr. Ruston: That was Toronto maybe; we didn't have that.

Hon. Mr. Timbrell: Mr. Ruston, for all the problems there are in any modern health care system any objective analysis would say we have made a lot of progress in the last 15 or 20 years and that the range of services and the commitment of all levels of government to health care is significantly greater now than it was 15 years ago.

Mr. Ruston: There is no doubt about that, but there are places yet, when you have to leave people in emergency care for 24 hours and you have to take people out of hospitals and put them in lodging rooms instead of nursing homes, where you are not carrying out the responsibility that is yours as Minister of Health.

Hon. Mr. Timbrell: Again, I do not over-see, nor should I, the admissions to and discharges from hospital. In my view, if any hospital is regularly having a problem with patients backing up into emergency, then there is something wrong at the other end of the hospital in the policies with regard to admissions.

Mr. Ruston: Get them out.

Hon. Mr. Timbrell: No, admissions as well, and we come back to the question of elective admissions. This is an area where more and more the tissue committees and the admission and discharge committees are having to zero in on those members of their medical staffs who are overusing the facilities, either by unnecessary admissions or longer than necessary stays. That has been a very good sized area in the last five years; not just here, you will hear that from every province in the Dominion.

Mr. Ruston: One of the things I see in Windsor is that maternity is cut down to four days at the Metropolitan General Hospital.

Hon. Mr. Timbrell: As a matter of fact, the Metropolitan General Hospital last year

made a significant reduction in their average length of stay in obstetrics, a big reduction in one year.

Mr. Ruston: A lady neighbour came out in three days, on her own.

Mr. Conway: There are a couple of items to which I would like to direct the minister's attention. Before I do I want to come back and get something for the record. We discussed this at the outset.

This year's increases for the public hospital sector were 7.8 per cent on average?

Hon. Mr. Timbrell: Yes, \$164 million.

Mr. Conway: Seven point eight per cent as compared to an average last year of 4.5.

Hon. Mr. Timbrell: No, last year initially the commitment was—

Mr. Conway: Four point five per cent?

Hon. Mr. Timbrell: That was on the base, but the actual average was 4.8.

Mr. Conway: I think you have answered this before, but I want to be very clear about it. What is there this year that there was not last year that justified a more generous increase?

Hon. Mr. Timbrell: I think recognition that there had been a lot of pressure in the system last year in identifying and using savings, a lot less room in the system, obviously, this year than last to identify and use other savings.

Mr. Conway: What kind of commitment are you prepared to give now to the public hospital sector that next year we will not be returning to the kind of 4.5 level of increase which proved to be, as I have said repeatedly and as a lot of members on all sides will privately if not publicly agree, was a very wrongheaded course of action?

What kind of commitment are you prepared to give now to members of this committee to flag your ongoing interest in a proper level of funding, because there is the widespread belief that what we have this year reflects more the advance of a general election than anything else and that it is the lull before a storm which could very—

Mr. Breagh: It could turn out to be the lull before the lull.

Mr. Conway: The lull before the lull. But I think it is important, for the record at least, to elicit from you as minister what kind of commitment you are prepared to give for next year and the year after by way of funding.

Hon. Mr. Timbrell: Obviously when I don't even have a budget for 1981 I can't give specifics, but we have consistently said we

will provide the money to maintain the necessary services. Last year we started off at 4.5 on base, 4.8 overall; we ended the year overall with a seven per cent increase in spending.

I would remind you that last year there were well over 100 hospitals that did not appeal. There were well over 100 hospitals last year that lived with 4.5, 4.8 and did not see a deterioration of services; they used savings generated internally. Because we deal with the hospitals and the hospital association on a regular basis they are aware that we will as a ministry go after—just give us the evidence so we can make the case—and get the funds necessary to maintain the viability of the system.

Mr. Conway: I just want to indicate again for the record, I hope we do not ever have to return to the kind of exercise that was the case in this committee a year ago to get that level of funding up from where it was initially and to provide some kind of relief to the public hospitals, because there may very well be 100 hospitals that were able to live within their budgeted commitment, but there were a heck of a lot of hospitals we heard from that certainly were not able to do so and were being very seriously compromised by your budgeting commitment.

For the record, I wanted to air the concern that many hospitals are privately putting, and that is, "Yes, this year is better than last, but we have no reason to believe once the election is out of the road we will not return to the kind of restraint we knew in the spring of 1979."

Hon. Mr. Timbrell: I can only give the commitment I just did. I suppose, short of some magic formula that nobody has found yet anywhere in the country, perhaps making a cost sharing arrangement with the local municipal governments, that we cannot project any further ahead in the current fiscal year what the actual numbers will be. But that commitment stands.

Mr. Conway: All right. There are two points, Mr. Chairman, that are not in the institutional vote as such. We have only 20 minutes to go and I would like to put them now and deal with them if I could.

Mr. Chairman: What vote are they under?

Mr. Conway: I have no idea. The two points are the physiotherapists—

Hon. Mr. Timbrell: Why do we send briefings?

Mr. Conway: With all due respect, recognizing there are 17 minutes or whatever left,

I want to take my last opportunity to put the two points on the record.

Mr. Chairman: Can we carry the institutional care services?

Mr. Conway: From my point of view, fine.

Item 6 agreed to.

Item 7 agreed to.

Vote 3202 agreed to.

Mr. Chairman: All right, Mr. Conway.

Mr. Conway: By the way, these briefing notes are very voluminous and they are more helpful than what we used to get, but by and large it is a lot of paper that really does not, in specific terms, assist as much as I think it could. I do not want you to be overwrought in your worry that these are not what you would like them to be, because I suspect there is a heck of a lot more we could be told that we are not told, so I do not feel this is all that it could be.

I want to talk about two things. One is the Board of Ophthalmic Dispensers and I just want to clear up something. Am I wrong when I say five of the current 10 members on that board have a direct connection with Imperial Optical Canada? I understand four do and one has just retired from that particular group.

Is it not the case that Mr. Ali Khan, Clarence Bax, Harry Shaw and John Slaney are all affiliated with Imperial or one of its associated companies, and that Don Johnsen is retired from Imperial in Thunder Bay, making it the case that five of the 10-member board have a direct link to Imperial Optical? If I am wrong please tell me and I will withdraw what I am about to say before I say it.

Hon. Mr. Timbrell: The letter which Mr. Khan sent around I thought dealt with that matter. My information is that there are three who have some connection with Imperial Optical Canada, one with American Optical and two with independents. One of those independents has since become affiliated with Imperial—I am not sure of that.

There are one retired and three lay people among the 10. As you know, we have enlarged the board by two and expanded the number of lay people. Even on the previous board there were a couple of people associated with Imperial and a couple, not only independent, who worked previously at Imperial.

5:20 p.m.

I guess where this debate gets off on a serious tangent is the whole question of what

you call the connection with Imperial, in as much as the board, under the legislation, is not empowered to regulate the sale of spectacles, but rather to oversee professional standards.

Mr. Conway: Let me put my case briefly. Under some conditions or with other boards I would be prepared to be a lot more lenient, but with this one I have no feeling of leniency for you at all. As a government, you got yourselves into a very justified pickle seven years ago about the dominance of the large Imperial Optical with—

Hon. Mr. Timbrell: As far as we are concerned that is a Ministry of Consumer and Commercial Relations matter or a matter for the federal Combines Investigation Act.

Mr. Conway: Let me talk to you as Minister of Health because you are the man who appoints these people, as I understand it. This matter has been brought to my attention by a well-intentioned, well meaning former chairman of this board who, I think, had—

Hon. Mr. Timbrell: He was formerly associated with Imperial.

Mr. Conway: Fair enough. I do not believe he was. No, he was not.

Hon. Mr. Timbrell: I believe he was.

Mr. Conway: I do not believe Jim McLean was affiliated with Imperial. I stand to be corrected, but I do not believe he was.

Hon. Mr. Timbrell: Hold on—formerly Imperial.

Mr. Conway: Fair enough. As of last year he was chairman of this board. I have something from him. I had some reason to read Mr. George Adamson's comment and I really am intrigued by what this board is up to.

You appoint the members. Let me make the comment briefly. Seven years ago it was brought to public attention that Imperial Optical dominated this board to a point where it was clear that the public interest might well be compromised. From what I understand, and certainly from talking to Mr. McLean, it was very adequately dealt with by your government for which you deserve the credit.

I just draw to your attention that back in—I gather from my conversations with Mr. McLean—1961 through to about 1972-73, there were five board members all of whom were associated with Imperial Optical. That was the point at which it became the public issue it was made at that time.

In 1973 to 1976 the board, as I understand it from Mr. McLean, went then to five members—one from Imperial, two independents, and two lay people. This was certainly marked progress over earlier situations. In 1976 it was an eight-member board—one from Imperial, four independents and three lay people.

My point is that back in 1973 you responded to the concern I am addressing by having one of five and later one of eight from Imperial. Certainly Imperial should be represented. My point now is that six or seven years later we are back to the stage where we have five of 10 on the board directly linked to this large, overwhelming presence.

Hon. Mr. Timbrell: There are some very curious things here. As I understand it, Mr. Breagh's other committee is going to look at this matter. I am pleased it is. As I said before, I am assuming all the evidence from the various parties will be taken under oath, because there are some very curious and questionable things being said here.

I thought it curious that the articles to which you refer were answered in some detail by the chairman of the board and that the answer was never published. My information is that prior to enlarging the board to 10, two of the eight persons were associated with Imperial, but that a further two were formerly with Imperial. Casting your net as wide as you want to, you might then conclude that four out of eight, or half, were associated with Imperial.

When we restructured the board and enlarged it to add another independent and another lay person, we had three persons associated with Imperial. Apparently since then one of the independents has become associated, but this is still less than half the board. I come back to the fact that the role of the board is to oversee the professional activities of dispensing opticians, not to regulate the sale of eyeglasses.

Mr. Conway: I resent from someone of your experience and capacity the blithe notion that there is not at least a perceived, if not a real conflict of interest inherent in that situation. You are clearly knowledgeable enough. As the minister involved who makes these appointments, it is something you can control. I am simply saying—

Hon. Mr. Timbrell: What is your understanding of the role of the board?

Mr. Conway: That is the other question. I see from Mr. Adamson, who I have every reason to respect and to believe—

Hon. Mr. Timbrell: What is your understanding? You have been Health critic for four years. What is your understanding of the role of the board?

Mr. Conway: I just want to say I understand, for example, the board has some responsibility to oversee, among other things, the Ophthalmic Dispensers Act under which all this is done.

Hon. Mr. Timbrell: That is right. What is your understanding of the act?

Mr. Conway: Let me finish. My understanding of the act is what I read in the papers from the long experienced board investigator. I want to show some of my colleagues what Mr. Adamson was quoted as having said. He may have denied all this. I am not aware that he has.

Let me quote from the article in the Toronto Globe and Mail of March 20, 1980, "Mr. George Adamson, a practising optician for 33 years and the ophthalmic board's sole regular investigator for the past two, charges that because the present legislation cannot be applied properly, most optician businesses, particularly those in large malls, are contravening the law."

Hon. Mr. Timbrell: What is the law?

Mr. Conway: My first understanding of your legislation is that it is unenforceable.

Hon. Mr. Timbrell: What is unenforceable? Hold on now. This is exactly what is going to come out at Mr. Breagh's committee. I do not think that is a proper question.

Mr. Conway: Mr. Chairman, do I have the floor or do I not?

Mr. Chairman: Yes, you have the floor, Mr. Conway.

Hon. Mr. Timbrell: But you have no understanding. You have got the floor but no understanding.

Mr. Conway: I am sharing this with you and with other members. You have all kinds of time to respond to this. I am just reading in the paper what your sole investigator is reporting as his experience. Whatever the law is, he says it is unenforceable.

Hon. Mr. Timbrell: What is your understanding of the law?

Mr. Conway: I have no understanding of the law. I am understanding what Mr. Adamson is saying is the case.

Now worse than that, he says, "A great many Ontario buyers of eyeglasses are being served by unlicensed student opticians, cosmeticians and even receptionists."

My good friend, Mr. Ruston, may have gone out and bought a pair of eyeglasses—

Mr. Ruston: I did just lately and I have been back four times trying to get them straightened out.

Mr. Conway: Exactly. Who is to know he did not have them served up by an unlicensed student optician? You obviously are aware of this. I have spoken to you about it.

He indicates further on, and I thought this was a rather colourful phrase, "Only a good lawyer could drive a truckload of high fashion spectacle frames through the loopholes to be found in the present Ophthalmic Dispensers Act."

I know little about this, but I assume Mr. Adamson knows a heck of a lot more, not only because he has been the sole investigator for two years, but because he has practised in the field for 33 years. The article even goes on to say that the man is a good Tory, in good standing, so all the more reason to believe him in this connection.

It goes on to say he resigned from his part-time post as board investigator because "the board and I were becoming the laughing-stock of the business." Mr. McLean told me the same thing in my office not too many weeks ago.

My understanding of the situation is that all is not well in this particular sector. My understanding is that either you or your staff have been prevailed upon repeatedly by the board and by people like Mr. Adamson to do something to make the act and the regulations more relevant and enforceable. Is that not the case? If so, what are your views as to the priorities in this connection?

Hon. Mr. Timbrell: I met with the board several months ago at which time we discussed some proposed changes in the regulations prepared by the current board. That would have been in early March, I think. Those regulations are being worked through, including one of the proposals I have made which has to do with keeping a separate register of student opticians. Obviously the board, with the able assistance of its legal counsel, has given a lot of thought to current problems in the whole business of the dispensing of glasses.

5:30 p.m.

I think it is significant that when the Ontario Association of Dispensing Opticians held its annual meeting a month or so ago it passed, I think unanimously but certainly overwhelmingly, a vote of confidence in the board and in the role it is carrying out, over-

seeing the professional activities of the dispensing opticians in the province.

A number of allegations have been made. In talking to Mr. Khan on innumerable occasions, in looking into the matter and my staff looking into it for me and also in the light of the reply which was sent to the Globe and Mail—the nation's conscience—which was never printed, I am quite satisfied to let the matter go to whatever the name of the committee is, where evidence will be given under oath and where some of these allegations can be answered in a proper forum.

Mr. Conway: Have you since March 20 contacted Mr. George Adamson to inquire after his views as reported in that article?

Hon. Mr. Timbrell: I met Mr. Adamson at the annual meeting of the Ontario Association of Dispensing Opticians at which time he did not raise them with me.

Mr. Conway: But through your staff you have not undertaken to inquire after this gentleman, whose stature and experience seem to be considerable, to elicit what might be at the bottom of all this? Surely it is one thing to have the opticians tell you this—and I accept that—but it must be quite another to have the board's sole regulator resign with those comments. To me that is a stinging indictment of the ministry that I would not, if I were in your shoes, want to leave sitting there unattended.

Am I being told now that you have not directed your staff to speak to Mr. Adamson to see whether these are, in fact, his opinions?

Hon. Mr. Timbrell: Mr. Adamson's opinions are apparently well documented in the Globe and Mail. Unless he has written a letter to the editor to refute that report, which they also have not published, that stands as his opinion. To the best of my knowledge the resignation was not made to me at the time, or copied to me at the time. I am confident that the board, as I have said to you in the House several times, has the matter well in hand, as evidenced by the set of draft regulations they presented to me a number of months ago.

I invite you to read the act and to find out what they really are empowered to do.

Mr. Conway: I invite you to talk to your investigator-regulator, who I think is much more relevant.

Hon. Mr. Timbrell: He is an employee of the board.

Mr. Conway: Precisely, but I find it unbelievable that someone of your involvement

would blithely ignore what is, from my point of view, an incredible indictment of a very important part of your mandate.

Hon. Mr. Timbrell: I am certainly not ignoring it, and I would be glad to—

Mr. Conway: The fact that you have not instructed anyone to speak to Mr. Adamson, and that you yourself have not undertaken to inquire after his assorted comments—

Hon. Mr. Timbrell: First, I think we know in the ministry what the act says. Second, we appoint the board of which Mr. Adamson is a late employee. Third, we have certainly been dealing with the board on the question of the regulations and what they would propose to address the problems as the board has determined them. Those are embodied in draft regulations which are now under consideration and should see the light of day in the next couple of months.

I think we have dealt with it properly. A variety of allegations have been made. A forum is going to be provided where the allegations can be repeated under oath and answered under oath.

Mr. Conway: In this connection, particularly where Mr. Adamson is concerned, I think you have failed in your duty. I would hope you would correct that at an early opportunity in talking, at least through some of your staff, to this gentleman. To have this kind of evidence put on the public record by someone of that stature is, from my point of view—

Hon. Mr. Timbrell: There is a letter, by the way. Has it been sent to you?

Mr. Conway: Of course, I have it sitting right here. I have read it repeatedly.

I say again that for someone of your ministerial responsibilities to have that said about an act of your jurisdiction and not even to undertake a discussion with the man in question is, I think, quite incredible and, with all due respect, is a dereliction of your duty.

I want to say as well—where are we with the time?

Mr. Chairman: You have 30 seconds.

Mr. Conway: Then I shall leave the physiotherapists other than to say I am intrigued to know if, as and when the temporary freeze on physiotherapists' insurability under the Ontario Health Insurance Plan of, what, 12 to 15 years' standing—

Hon. Mr. Timbrell: Fifteen.

Mr. Conway: —is going to be lifted and whether you might, through letter form, communicate to me the special criteria that has singled out that sector for treatment that I

do not believe is the due of any other health care professional.

Hon. Mr. Timbrell: With respect, it is—laboratories, nursing homes, any number of services.

Mr. Conway: I distinguish between institutions and personnel. In this case I ask you to tell me whether there is another health care sector of personnel, not institutions.

Hon. Mr. Timbrell: That is personnel.

Mr. Conway: Laboratories?

Hon. Mr. Timbrell: Sure it is.

Mr. Conway: If that is the answer, then I accept it as—

Hon. Mr. Timbrell: We have been in discussion with the Ontario Physiotherapy Association for some time. We are waiting to hear back from them as to the next step in those discussions about how we are going to deal with the question of licensing in the future. That matter is under review with the physiotherapists themselves, with the association.

Mr. Conway: Is there any expectation that a statement of policy in this connection, particularly as it relates to those groups that are not presently covered, will be forthcoming in the not too distant future? It is a concern to all members here that not only in individual circumstances, but more generally, we have been told, as a result of the control on the number of insured clinics, that there are significant backups, long waiting lists and a kind of care in some circumstances that is not the sort we would like to see.

Hon. Mr. Timbrell: Unquestionably, certain physiotherapists who would like to bill directly and do not want to work for hospital physiotherapy clinics are concerned.

When we discuss laboratories what we are urged to do is to maximize the use of hospital laboratories. This whole policy centres around maximizing the use of physiotherapy facilities in public hospitals. Where there is not sufficient capacity in those facilities to meet the demand and the need, then to designate sufficient practitioners in the community who may bill OHIP.

I think if you agree with the form of thrust on laboratories you must accept that. Where the question comes from is that one has these individuals who are registered to practise physiotherapy but who are not allowed to bill OHIP directly because of the policy. They must bill the fee entirely to the patient.

Mr. Chairman: We will adjourn. On Monday, we will be hearing representatives from Lawrence Heights Medical Centre, as well as

representatives from the South Riverdale Community Health Centre.

The committee adjourned at 5:38 p.m.

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 Young, F. (Yorkview NDP)

From the Ministry of Health:

Bain, W., Executive Director, Institutional Division
 Dyer, Dr. A. E., Assistant Deputy Minister, Institutional Health Services
 King, Dr. R. M., Principal Program Adviser, Home Care
 LeNeveu, R. A., Assistant Deputy Minister, Administration and Health Insurance



Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development
Estimates, Ministry of Health



Fourth Session, 31st Parliament

Monday, June 9, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

MONDAY, JUNE 9, 1980

The committee met at 3:45 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF HEALTH (continued)

On vote 3204, health insurance program:

Mr. Chairman: I call the committee to order.

This afternoon, as you know, we are dealing with the funding of health service organizations. A number of witnesses have come, which we greatly appreciate. We would ask Fred Hood, chairman of the board of directors of Lawrence Heights Medical Centre, Barbara Coyne, administrator of the centre and Jean Lance, member of the board of directors of the centre, to come forward to a microphone.

We appreciate your attendance here this afternoon. Committee members expressed an interest in reviewing the operation of an HSO. I know it will be beneficial to committee members if you have an opening statement or wish to make any comments at this time. We would welcome that. If not, I can go right to questioning by the members of the committee.

Mr. Hood, do you have anything to say?

Mr. Hood: One thing I would like to say is that I am really happy to see the government has taken a stand on new ways of funding for doctors and for patient care in Ontario. I think it is long overdue. I feel we are going forward, not backwards, by having the types of programs that are operated in Ontario. I would just like to say thank you to the government for looking after this kind of program.

Hon. Mr. Timbrell: I move we adjourn.

Mr. Chairman: That solves that.

Miss Coyne, would you like to make any comment?

Miss Coyne: Not at this time.

Mr. Chairman: What about you, Ms. Lance?

Ms. Lance: No, not at this time.

Mr. Ramsay: I would like to ask a few questions. I am not aware of the background of your medical centre. Could you give me a synopsis or resumé of the way it operates, the size and so on?

Ms. Lance: Many years ago, in the early 1950s, we and our community, which is an Ontario Housing Corporation community located next to Yorkdale, came to realize that we needed some type of medical care within walking distance or within our community, because we did not have any. We're a community of 5,000 in population, approximately 3,000 children and 2,000 adults. At that time we did not even have bus service directly in or around our community. From the feedback from people, the need for medical care and something like a clinic was one of the many issues that kept coming up.

We tried several times to start something that would be available for the community and several times it didn't follow through. Along with agency representatives in the community and community residents, we made a last attempt to ask the Ministry of Health for funding to help us to set up an HSO or health clinic, and that's what we now have in our community. It has benefited our community and we now have a patients roster of about 3,500. We have grown within the last two years by about 50 patients per month. There is the difficulty of not being able to advertise. That is a disadvantage.

I think we have come a long way. I am very proud of our medical centre.

3:50 p.m.

Mr. Ramsay: What about staff and facilities?

Ms. Lance: We started out with one and a half doctors and receptionists and we now have two full-time doctors, a medical centre co-ordinator, who is Miss Barbara Coyne, a 21-member board of directors, a nurse-receptionist, a podiatrist and our health nurses.

Mr. Ramsay: Perhaps this next question is redundant in view of what you have just said, but does your community acceptance

seem to be quite satisfactory to the board of directors?

Ms. Lance: Yes. We have an annual general meeting where elections are called. Prior to this general election meeting, a flyer goes out to every unit and the meeting is, at most times, well attended. At that time people have an opportunity to provide input.

Mr. Ramsay: I am sorry, I was referring to the fact that you are gaining 50 people every month. Your roster is increasing by that much. This indicated you are being well received in the community you are servicing.

Ms. Lance: Exactly.

Mr. Ramsay: What do you identify as some of your main problems?

Mr. Hood: Our main problem at the present time is that out of 50 new patients we are finding that on average 35 to 40 do not have Ontario Health Insurance Plan coverage. We now have roughly 550 patients on our roster who do not have OHIP membership.

Mr. Ramsay: How do you work around that problem?

Mr. Hood: We have always taken the stand that it does not matter if patients have OHIP or not. We treat them and we do not bill them. We treat them and in certain cases even supply medicine to make sure they don't need to go into the hospital. We have done this on many occasions.

Mr. Ramsay: I sit on another committee, the standing committee on public accounts, which last week looked at a health service organization in another part of the province and the roster system came up for considerable discussion at that time. How do you look at the roster system? How do you find it and how are your relations with the ministry in that respect?

Hon. Mr. Timbrell: Can I make a point? The Lawrence Heights Medical Centre is not now on the health service organization formula. Lawrence Heights is a health centre with a salary plus overhead budget. They are not directly comparable. None the less, they do maintain a roster.

Mr. Ramsay: I would be interested in the roster and your relations with the ministry in respect to it.

Mr. Hood: As the minister has stated, we are not on the roster reimbursement system as yet, but I feel the system we have now is really great because we can serve the community in a better way. We have a lot of different clinics—a glaucoma clinic, a venereal disease clinic, a well-baby clinic, an immunization program, and a parenting

program. It is a program that goes on and doesn't interrupt services to the community when we are looking after patients. We are quite lucky in being able to supply this type of service to the community.

Mr. Ramsay: In these committees we are not used to having people come and speak so favourably about whatever the appropriate ministry is. I was wondering if the ministry makes excessive demands upon your centre administratively or in any other way.

Mr. Hood: I believe the ministry should always keep a tight rein. They have supervisors who go around checking and I think that is a good idea. If a health service organization becomes lax, there is always that supervisor there to make sure they don't. It is a good program. I think the minister really works hard in keeping us on our toes. I think that is one way to ensure that good medicine is practised.

Mr. Ramsay: I see.

Mr. McClellan: Mr. Hood, have you ever been on the roster system?

Mr. Hood: We have always been on a global budget.

Mr. McClellan: On a global budget. Is it the intention of the ministry to keep this project on a global budget as opposed to moving toward the capitation system?

Hon. Mr. Timbrell: Perhaps Mr. Berry should respond to that because he is involved in the detailed discussions. When we developed the HSO formula over the last two or three years it was obvious that along the way there were going to be a number of clinics or health centres that had started up over the years, under a variety of formulae, that would not be viable at the present time under the HSO formula.

Mr. McClellan: Under the capitation formula.

Hon. Mr. Timbrell: With the capitation negation and so forth. I don't know what the level of external use of their roster is.

Do you recall, Miss Coyne, what percentage of your roster goes outside at any given point?

Miss Coyne: About 300, or 10 per cent of the clinic.

Hon. Mr. Timbrell: As I understand it, a roster is being maintained and we are continuing to do the computer runs. We are funding them on a global budget but we are maintaining the computer run as if the clinic was on the HSO formula so that at some point in the future it could go over to the

HSO formula as soon as it becomes a viable HSO.

Do you want to deal with that, Mr. Berry?

Mr. Berry: That's correct. I really don't have anything to add to that. The intent is to allow an opportunity for the health centres to grow to a size where they would be viable under the capitation program.

Mr. McClellan: From your testimony before us, I gather you are very happy with the global payment under contract.

Mr. Hood: That's right.

Mr. McClellan: Have you any thoughts about what might happen if you moved to the capitation system?

Mr. Hood: It would mean the service would break down. I think the HSO service concept was great when it was originally set up. If we move into capitation we are going to have a great many problems administering it. The care of patients could change.

The way we are funded and are operating now we have the extra funds available to look after the total patient. We have physical fitness classes, life-skill classes and all these different programs that are offered to the community. I think that might be in jeopardy if we go on the capitation system because I don't know if the money is going to be there for all these different programs.

Mr. McClellan: You have services that, strictly speaking, would not be covered under OHIP—

Mr. Hood: That's right.

Mr. McClellan: —but because of the global funding you are able to provide them.

Mr. Hood: I believe strongly in the idea that the health care system should look at the whole being, not just at the illness the person comes in with. A lot of people come in with emotional stresses. Normally, when a doctor looks at them he looks at the illnesses but he doesn't look at the roots of the problems.

I think the type of program we have now is a great program. Last year in October, November and December we saved the government \$30,000 in admissions of patients to hospital. That is just our centre. I think that is a big plus.

There is another problem. What happens to the 550 people who are not on OHIP? That's a big problem. We look after patients who don't have OHIP and we don't bill them. We don't ask the government to give us extra money for them. We even supply them with medicine and we give them home care. If we go on capitation I don't see how the

550 people are going to be looked after the way they should be.

Everybody should be afforded OHIP. For some unknown reason, some of them are too proud to ask for premium assistance. A lot of people don't even know about premium assistance. We advertise it on our wall now, but a lot of people are still reluctant to come forward because they don't want anybody to know their financial difficulties. We do not know who the patients are. As I said, it comes off a computer but we have no name connected to it.

4 p.m.

I strongly believe this type of program is fantastic, especially for areas like ours. We are in an Ontario Housing Corporation area. People who go into OHC generally have financial problems. After a while it builds up and it can be an emotional strain. I believe that with the type of setting of this health service organization, health services should be on a global budget.

Mr. McClellan: Are there specific services you are providing now under the global budget that you would probably be unable to cover under capitation funding? If so, could you identify what those services are?

Mr. Hood: Actually all the services would be cut because one is dealing with a dollar figure in all cases when one is on capitation. One sees so many patients, one gets so many dollars. If the patients go elsewhere, to the cottage or on a trip, and see another doctor, the money is taken off. As I say, the glaucoma clinic, the venereal disease clinic, the well-baby clinic, the immunization program, the life-skill programs, the physical fitness programs and a number of smaller programs we have for children would disappear.

Hon. Mr. Timbrell: Excuse me but, with respect, the description of the HSO capitation is incorrect, perhaps only because it is incomplete. Would it be helpful to the committee if Mr. Berry described what the capitation program is?

In developing this we have put Lawrence Heights Medical Centre, South Riverdale Community Health Centre and 11 others on global budgets because we identified them as centres that could not continue with the HSO formula. I think you would acknowledge that the ministry did that up front and said: "You will not survive if you go on HSO. We want you to survive and here is the alternative, which is the global budget."

Mr. Hood: That's right.

Hon. Mr. Timbrell: Would it be helpful if Mr. Berry took a couple of minutes to ex-

plain what the HSO problem is and the difference?

Mr. McClellan: Bearing in mind, if he could, the kind of concern the Lawrence Heights clinic representatives are expressing, because it is a concern I have heard expressed by other clinics, including clinics that are on capitation.

Hon. Mr. Timbrell: It is unfortunate we have only two hours. I had hoped Flemingdon Health Centre could have been here today as well. It is a health service organization, has a roster of 13,000 or 14,000 and has moved from the global to the HSO budget. You could contrast one that is a health centre now and hopefully is growing to a point where it would be viable as an HSO with one that is already an HSO.

Perhaps Mr. Berry could describe it.

Mr. Berry: It is only necessary to reaffirm that when we did an analysis of the numbers of people who were eligible for the roster system, there were a number of health centres which did not meet that level financially. Therefore, a decision was made to put them on a global budget until such time as they had a sufficiently large population of eligible people on the capitation system to carry their budgetary requirements. There was no intent to use the total number of people to make a shift so that, as a consequence of their not being eligible, the health centre would be at some financial disadvantage.

I believe Mr. Hood said he did not know who on his roster was ineligible. I don't think that is correct. We return information on who was eligible for the current month and the previous five months. Is that not correct?

Mr. Hood: They give us OHIP numbers. We have 3,500 patients, including everyone. To check through 3,500 OHIP numbers in a filing system takes a lot of time. There is a constant turnover in our system.

Hon. Mr. Timbrell: Miss Coyne, what information do you get back?

Miss Coyne: We receive a monthly print-out and update. Quarterly we receive an alphabetical printout of all our patients, both eligibles and ineligibles. The problem we encounter is trying to keep up with 550 patients who may, in any given month, be in or out of the Ontario Health Insurance Plan.

Mr. McClellan: That 550 a month who are not covered—

Miss Coyne: We have had a significant increase. It was running about 350 but it has jumped.

Mr. McClellan: Almost 20 per cent of what would be your roster are people who are not covered by OHIP.

Miss Coyne: That's right. By checking that printout on a regular basis, one almost has to do it with each patient who comes in. A patient will give you an OHIP number he thinks is correct. You find out it is really incorrect when the printout comes back.

Hon. Mr. Timbrell: When they come in the next time, would you give them that information?

Miss Coyne: If they come in again. Some people use a doctor once a year, so we are faced with having to go through roughly 550 cards and somehow contact those people.

Mr. Hood: It is a full-time job for somebody.

Miss Coyne: It is.

Mr. Hood: It's a tedious job.

Mr. McClellan: Leaving aside the question—I'm sorry, you may have wanted to make some more comments.

Mr. Berry: I don't think there is anything else I have to add. The only point I was trying to make is that we would not expect anybody to go on the capitation system until there was a sufficiently large eligible roster to carry the budgetary requirement. That's all.

Mr. McClellan: This is a question for the minister. Not to be overly rhetorical, how do you deal with a significant deterioration of universality in coverage? When you are talking about 20 per cent of a clinic's case load that is not covered by medical insurance, how do you possibly administer a capitation system?

Hon. Mr. Timbrell: It is based on the people who are actually receiving the service. When you speak of the deterioration of universality, the fact is they get served, just the same as if an individual appears—

Mr. McClellan: Well, here they do because of the funding structure but under the capitation system they wouldn't.

Hon. Mr. Timbrell: No, under any system, whether it is a health clinic, or a health service organization or fee-for-service, if the person presents himself and, for whatever reason, has not got an up-to-date OHIP number—because he has not paid his premiums or because he has changed jobs and it lapsed, whatever the reason—under our system we will pay the first claim and then

notify the physician so he can notify the patient to get his coverage up to date.

The point I was trying to make before and that I want to come back to was that all the programs, the various clinics and so forth which are held at the Lawrence Heights Medical Clinic would not have to be dropped if they went to HSO because we have no intention of seeing them go to the HSO formula until it would be viable.

Mr. McClellan: Is there a criterion for viability?

Hon. Mr. Timbrell: Perhaps Mr. Berry could give you that technical information.

Mr. Berry: We are dealing primarily with economic viability now. In terms of the cost of the operation of the health centre, clearly one would have to have a large enough roster, and a large enough roster payment, to cover that.

One point I should make is that all the HSOs serve some people who are ineligible as part of the responsibility for people on their rosters. In the case of some health centres, because of their locations, there are quite large numbers of people in and out of work who are having a number of financial problems. In those centres there tends to be a somewhat larger number of people who are ineligible. It is a particular problem in some health centres; we are currently exploring and looking at it, but don't have a solution.

Mr. McClellan: Probably some low-income areas.

Mr. Berry: That's correct.

Mr. McClellan: That's a problem in low-income areas. I do not want to get into a discussion of premiums because this is not the place to do it. It seems to me when you get that number of people in a low-income area simply not covered by the medical insurance program that is evidence which should concern you enormously. It's cause for a lot of alarm and concern.

4:10 p.m.

Hon. Mr. Timbrell: It is a problem under almost any system. If you talk, as I have, to officials in other provinces where they do not have premiums, there are still difficulties in maintaining enrolment status as people move around the province from job to job.

Mr. McClellan: That is a second problem.

Hon. Mr. Timbrell: But it is related.

Mr. McClellan: That pertains to the roster.

Hon. Mr. Timbrell: It is not exclusively a problem of the premium related system.

Mr. McClellan: I guess both centres before us are on global budgets. It must be enormously difficult for a centre to have to deal with the second issue you have raised, where it has to update its roster continually. I assume it would be an enormous problem for a relatively small centre like yours.

Have you estimated what the manpower needs would be simply to maintain an updated roster if you were to move to a capitation system?

Miss Coyne: We think we would need at least one and a half more people, if not two more people, because we would be talking about three different kinds of bookkeeping. We would be keeping track of our eligible members on the capitation negotiation for a month; the money that will accrue to us from the ministry. We would be talking about billing OHIP for transient patients who we see and, depending on our budgetary situation, billing patients directly who do not have OHIP, because if we are talking about 550 patients who may be regular users at the clinic that is a lot of time and a lot of dollars that we would not be getting otherwise. Certainly we would need a half-time bookkeeper for that and I would think a full-time record keeper.

Mr. McClellan: I have one other question. You have a community board of directors. Could you tell us how the board of directors is elected and what decision making authority the board of directors has?

Ms. Lance: We are elected at an annual meeting. Flyers are sent out to each unit in our community. At the beginning of the meeting there is a report and following that the election of officers.

We start with 21 members, of whom two thirds are community residents and the other third are community agency representatives. After the 21 board members are elected we elect a chairperson, vice-chairperson, committee chairperson, secretary, treasurer and so on.

Mr. McClellan: Does the board participate in the decisions about what range and mix of health care services will be provided or are these things decided in negotiations between the clinic and the ministry? How does that work out?

Mr. Hood: We have a program chairlady at present. She looks at programming for the community. We did an assessment for the ministry a couple of months ago. We try to keep within our needs assessment of what

we find and try to gear ourselves in that direction in consultation with the doctors. We have to consult our doctors to make sure we are going in the right way as well.

We have the medical health people in the area and we have the community and the committee itself who work together. This is how we keep the programs going.

Mr. McClellan: Are your doctors on salary?

Mr. Hood: Yes, they are.

Mr. McClellan: Are you able to pay a competitive salary?

Mr. Hood: If you are going by the Ontario Medical Association, no. At present, our doctors are negotiating with the ministry to go on as civil service doctors. The OMA doctors are in an average range of \$60,000 to \$80,000. We could never afford to pay that. It would be almost our entire budget.

Mr. McClellan: Are you able to pay half that? Without wanting to disclose what the doctors are earning, are you able to pay half of what a doctor could get in private practice?

Mr. Hood: I would say around half; a little more than half but not much more.

Hon. Mr. Timbrell: Are they on 24-hour call?

Mr. Hood: They are on 24-hour call. They put in 40 hours a week in the medical centre.

Mr. Conway: I have a supplementary to that. I apologize for having missed the earlier part of your presentation. What is the medical complement at Lawrence Heights Medical Centre?

Mr. Hood: Two doctors and a nurse-receptionist.

Mr. Conway: In terms of the process you use to negotiate with your doctors, do you find it leads to a very great turnover or are you still dealing with the same two doctors?

Mr. Hood: We had a turnover in 1978 and we now have two good doctors. We are very proud to say we have two good doctors who are community-minded people.

Mr. McClellan: Does the salary level give you concern about your ability to keep doctors on a long-term basis?

Mr. Hood: Yes, I would say so.

Mr. McClellan: Are they young doctors?

Mr. Hood: No.

Ms. Lance: The lady doctor is young and the gentleman is middle-aged.

Mr. McClellan: This is a concern we have had and that other clinics have expressed to us.

Ms. Lance: One can only afford to pay them what one's budget can afford to give.

Mr. McClellan: That is right. You have to hope that community-minded, community-spirited doctors come forward with an exceptional level of dedication, almost on a semi-volunteer basis because of the salary level discrepancies.

Mr. Conway: What kind of discussions—because I think the parlance point is an important one—do you have with your board and the ministry when it comes to the question of the allocations that you can make within your global amount for the hiring of professional staff?

Mr. Berry: Maybe this would be better put to you. When a group such as this comes to negotiate its budget, what kind of response do you have to, let us say, the previous year's statement that X numbers of physicians were paid what is clearly a very modest salary? Do you look at that and say, as Mr. McClellan said, that is obviously an exceptional kind of doctor, that you are fortunate to have him and that you do not see the need to put more money in to make it a little more attractive? How does that work from your point of view?

Mr. Berry: The program originally began with a formula that was put in place with the assumption that it would be possible to develop a capitation method of payment within a fairly short period of time. That did not prove to be the case and, as a consequence, the method of payment which covered salary plus overhead as a formula method of payment was getting somewhat out of line with the payments which were made to health centres. We changed that effective April 1 of this year, and there will be another increase on August 1.

We do not actually negotiate a budget as such. It is not a line-by-line budget. It is a formula in which we would provide salary plus overhead for physicians and salaries for nurse-practitioners. The overhead component is expected to look after the administrative costs. How the centre itself decides to apportion that money in terms of direct salary and direct payment is up to it.

Mr. Conway: How long have you been funding this particular—

Hon. Mr. Timbrell: Four or five years.

Mr. Conway: I presume in the normal course of administration you would see some kind of statement as to where the money went and you must then be able to see what has been paid in terms of medical salaries.

Mr. Berry: Yes.

Mr. Conway: Would that not strike you as something you might want to improve?

I assume, for example, you have figures in front of you which would indicate that in clinics like this—clinics which you are, by your own commitments now and for some time, if the minister is to be believed, fully in support of—you are paying physicians in the order of \$28,000, \$32,000 or \$34,000 for those hours of work. Would it not strike you that that is an anomalous condition, that some kind of an arrangement to improve that portion would be struck in the funding arrangement or do you just simply make no effort to do that?

4:20 p.m.

Mr. Berry: No, I don't think it would be fair to say that we don't make any attempt to look at that. We do indeed and that is what led to the increases effective in April this year.

Mr. Conway: Miss Coyne, if I can ask you this. In the past have you been able, within the concept of the global allocation, to make a case to the ministry in terms of medical provider incomes?

First of all, has there been a problem? Has there been a difficulty maintaining those people within your clinic, or are they, as Mr. McClellan indicated, people for whom income is not a particular concern?

Miss Coyne: I think the people we have hired have a commitment to the concept of community health centres. I also think they would like to realize more income. One problem we encounter is that salaries plus overhead are set in accordance with the Canadian experience or tradition. We are fortunate in that one of our physicians has 17 years' experience. At least 10 of those years were as a medical missionary with a Canadian mission. He should be paid considerably more than someone with, shall we say, two years' experience.

Unfortunately, that's not possible because the ministry only goes on a certain scale and after five years, that's it. They will not recognize additional experience. This doctor is tied to that because we are tied to that.

We are allocated X number of dollars and out of that we have to pay salaries for doctors; salary for a registered nurse, which comes out of the overhead component; salary for an administrator, which comes out of the overhead component; salaries for part-time staff, which comes out of the overhead component; salaries for maintenance staff, which comes out of the overhead component; and

programming dollars, which come out of the overhead component.

Mr. Conway: What other component pays for—

Miss Coyne: It's structured on the basis of salary plus overhead.

Mr. Conway: All right, so it's the salary component that pays the other.

Miss Coyne: Presumably, if we were to pay the maximum allowable, the overhead component would pay the rest of that. For the purposes of this discussion, say we have one doctor with four years' experience and one doctor with five years' experience, because that's the maximum number of years and our budget is established, if those two doctors leave and the only two doctors we can find are doctors with one and two years' experience, not only does the salary portion of our budget go down—one can expect that one would pay those doctors less—but the overhead component goes down as well, which I have always found very strange because it can't cost less to operate a medical centre simply because one has changed physicians.

Mr. Conway: Do all sides know privately, or admit privately if not publicly, what that overhead component is expected to pay for?

Miss Coyne: Yes.

Mr. McClellan: I have a final question or two of the minister in the light of that testimony. First, why does it seem to be necessary for a physician, in effect, to pay a financial penalty for—

Hon. Mr. Timbrell: I'm not sure they do. You have made one of the arguments that doctors make when they want to opt out: when one says he has 17 years' experience and the other has two, why should he take the same rate under the OMA or the OHIP schedule? It is one of their arguments.

Mr. Berry can comment, but as I read it the payment we are making to you now is basically \$74,000 a year for each physician, including overhead. Is that right?

Miss Coyne: That's average. Yes.

Hon. Mr. Timbrell: It is \$74,000 per physician, including the overhead, which I don't think is unreasonable because the billings of the physicians in private practice would, whatever we pay them, include overhead. The average cost of practice for a general practitioner now is around 38 or 40 per cent.

Mr. Conway: Can we just figure that out?

Mr. Makarchuk: On that same point, a physician working in private practice has his

overhead for the office but at the same time he goes and makes a hospital tour. He bills for every patient he sees. He might say, "Good morning," but he bills for it. Do your physicians have that opportunity?

Mr. Hood: No.

Mr. Makarchuk: They do not. There is none of that. What happens there is that for a general practitioner in a private practice, the overhead component—

Hon. Mr. Timbrell: I am talking against total billings. I am sorry, that includes rounds.

Mr. Makarchuk: That may be the total billings, but in terms of his income it doesn't really reflect the operational costs of his office.

Hon. Mr. Timbrell: The figure I was giving you was against total billings, including house calls, rounds and everything. The average for a general practitioner now, expenses against total billings, is about 38 to 40 per cent. I know your physicians make house calls but they don't make rounds at any of the—

Mr. Hood: Oh yes, they do. I can give you some figures on our saving you money by our physicians assisting in surgery.

Hon. Mr. Timbrell: Do they? I am sorry. There are lower admissions to hospitals.

Mr. Hood: You get billed if some other doctor assists. Our doctors even do that as well.

Hon. Mr. Timbrell: Yes.

Mr. Makarchuk: Mr. Minister, what you would really—

Mr. Chairman: Mr. Makarchuk, you are next on the list. Could we finish up with Mr. McClellan?

Mr. McClellan: I am quite happy to yield my place.

Mr. Chairman: Are you finished then?

Mr. McClellan: Yes.

Mr. Makarchuk: On that same point, Mr. Minister, what in effect that indicates is that the overhead component cost for a GP, if he does not get the remuneration from the office calls, would be much higher. His overhead component costs would be much higher if he was not able to bill from the hospital.

[Interjection.]

Mr. Makarchuk: No. You just listen. He gets this extra money by visiting the hospital. You say a certain average of that is the cost for overhead. Do you follow me?

Hon. Mr. Timbrell: What I am saying is, if a GP in private practice—just for argument's sake, say—has 10,000—

Mr. Makarchuk: Overhead.

Hon. Mr. Timbrell: No, billings a year, with 8,000 in his office and 2,000 in the hospital on rounds or door-to-door house calls. The cost of servicing all 10,000 of those billings comes back on the cost of operating his or her office.

Mr. Makarchuk: On his gross income, right; on this 10,000.

Hon. Mr. Timbrell: The cost of maintaining the office applies to all of those.

Mr. Makarchuk: That's exactly it, but the point is he can spread the cost of his office over the billings from the office as well as the billings from the hospital.

Let's say he had 10,000 billings. Assume that 8,000 were generated in the office and 2,000 were generated in the hospital. His office overhead will still be the same. If he just applied the cost of operating his office against the revenue he generated from his office, it would be a higher component. These people do it.

Hon. Mr. Timbrell: I don't know what we are arguing about because we are talking about the same thing. We are talking about work in the office, we are talking about work in the hospitals, which is the same—

Mr. Makarchuk: No, you're not. What you are saying is that in effect—

Hon. Mr. Timbrell: I thought you told me your physicians do make rounds in hospitals.

Mr. Hood: They don't bill.

Mr. Makarchuk: They don't bill for it.

Hon. Mr. Timbrell: No, that's right, it's part of the overall budget.

Mr. Hood: What I am saying is that for the amount of work our doctors are doing, compared to private practice where doctors are making fairly good money, our doctors are very underpaid. As I said, if you check the Ontario Medical Association schedule—I guess you must have one in front of you—its average is \$60,000 to \$80,000 for the type of doctor we have right now.

Hon. Mr. Timbrell: General practitioners last year averaged \$58,000.

Mr. Hood: Okay, but our GPs don't average \$58,000.

Hon. Mr. Timbrell: They are also not on a fixed work week.

Mr. Hood: I would say they are on a fixed work week. They are there 40 hours a week. They are there from nine to five o'clock and

they are on 24-hour call. They are in the hospital. They do the same things private doctors do. I would say they do more. I wouldn't call that "not fixed."

Hon. Mr. Timbrell: The point I was trying to make with Mr. Makarchuk is that, for instance, a private physician doesn't close down his office when he goes on rounds for a couple of hours during the day. The overhead doesn't stop. All I was saying was that overhead carries on, whatever the mix.

Mr. Makarchuk: The point is, you give them overhead based on a certain percentage of what the GPs get on an average for the province.

Hon. Mr. Timbrell: No.

Mr. Makarchuk: As I understand it from what Miss Coyne has said, if the salary dropped then the overhead dropped. I assume you relate those figures to what you estimate the doctors are making in the province.

4:30 p.m.

Hon. Mr. Timbrell: I think perhaps Mr. Berry can give some details of the budget and of how the present figure of \$74,000 is going up in August to \$82,700.

Mr. Makarchuk: How do you decide? What overhead component do you figure?

Mr. Hood: What the base salaries are—

Mr. Berry: The formula that is used essentially is one in which the actual civil service salary for a general practitioner is used as a base. There are five steps in that salary range. There is an 18 per cent component for fringe benefits which is added. The actual amount is not 38 per cent of the figures to that point, the 38 per cent is the overhead component which makes up the total package.

What we are using in the formula is essentially the payment which is made to physicians within the civil service, plus the 18 per cent fringe benefit component, plus an overhead component of 38 per cent, to make up a total value for the physician-overhead component.

It is true that if one were to lose a senior physician and hire a junior physician, there might be some shift in the total value. It would be implied because it relates to the initial income, that is to say the payment which is made for the salary plus the added percentage components.

Mr. Makarchuk: It is 38 per cent of the salary the physician gets, based on the civil service levels plus the 18 per cent; you apply 38 per cent as an overhead. Is that correct?

Mr. Berry: The 38 per cent is slightly more than that because the total package is 38 per cent.

Mr. Makarchuk: That is 38 per cent of what?

Mr. McClellan: Salary plus benefits, or just salary?

Mr. Berry: No, it works the other way. There is a formula which we use to make the 38 per cent overhead.

Mr. Makarchuk: Where do you get the 38 per cent from?

Mr. Berry: Thirty-eight per cent of the total amount is the component, not 38 per cent on the salary plus the 18 per cent.

Mr. Makarchuk: Thirty-eight per cent of what? Can you get the total first and work back from there?

Mr. Conway: Are you going to sort all this out for me?

Mr. Makarchuk: Do you know?

Mr. Conway: No, I have no idea. This is such a good line of questioning. I really do want to say that one of the things we can do here today—at least I would like to do—is to get some idea of how these people, as representatives of a clinic, are actually paid in real dollars or whatever.

Mr. Hood: I have some figures. Back in 1976 we received \$9,954 a month. In 1977 we received \$10,211.75 a month. We had a turnover of staff in 1977. In 1978 we were reduced to \$9,250. We stayed at that amount until 1979. In 1979 we were at \$9,250. We have now had an increase to \$10,903.39. We are talking about the new increases that are coming to us. Let me stop for a minute and try to explain something.

From 1976 to 1979 we really never had any movement for increases. When doctors got increases, we never got increases. If you are looking at 38 per cent, you are looking at 38 per cent over 1976, 1977, 1978 and 1979, which works out to about seven per cent a year.

Mr. Conway: Could you go over them for my benefit, because I want to be sure I have them all correct? Those are global monthly figures for the years 1976 through 1980. Will you give them to us again.

Mr. Hood: All right. In 1976, we received \$9,954.

Hon. Mr. Timbrell: Per month.

Mr. Hood: Per month. In 1977 we received \$10,211.75 per month. In 1978, because we had a changeover in staff, we

received \$9,250. Can I give you the other figures in a second?

Because we lost two doctors and the years of experience they had, we had a reduction when the new amounts were calculated but our overhead stayed the same. I cannot see how the overhead could change because we were getting two doctors.

Through a good part of 1979, we were still receiving \$9,250. Last year we had an increase to \$10,903.39.

Mr. Conway: That is where I am having a little trouble. In 1979 your range was \$9,200 up through \$10,900?

Mr. Hood: That is right. Our new increase will bring us up to \$12,392.42, and with another increase I think it is supposed to come up to \$13,700. That comes up to a total package of 38 per cent.

But remember that from 1976 to 1980 we did not receive an increase like all the other doctors in places like hospitals and what have you. We did receive some adjustments once in a while but nothing else. Those are our figures and they went down drastically from 1976. In 1978 and 1979 it was even below 1976 when we started.

Mr. Conway: I just want to be sure from my own calculations.

Tell me all the things you are to pay out of that.

Mr. Hood: We pay for all medical supplies, maintenance, the nurse-receptionist, a co-ordinator, part-time staff which comes in to relieve at lunch time, the answering services at night and rent.

Hon. Mr. Timbrell: How long were you without the two doctors when they resigned in 1978?

Mr. Hood: Two months—not even two months, they were out and they were in in the same month. It was actually 1978 when they left and within two to three weeks we had the full complement of staff again. We had one doctor immediately.

Hon. Mr. Timbrell: You had a locum tenens whom the ministry helped you to get—

Mr. Hood: That is right.

Hon. Mr. Timbrell: —when the two doctors resigned.

Mr. Makarchuk: To come back to this, could you tell me where you get the 38 per cent from?

Mr. Berry: If we take this as a sample, let us say the salary component is \$35,000 and 18 per cent fringe benefits added to that

would be \$6,300, making a total of 62 per cent of the total. If we take the \$41,300 and divide it by 0.62, it gives us a total of \$66,612. Then we add the \$41,300 to that, giving us the 100 per cent.

Mr. Makarchuk: You would get the 100 per cent. You say the salary plus the fringe benefits add up to 62 per cent. Of course, if we subtract it from the 100 there is 38 left.

Mr. Berry: That is correct.

Mr. Makarchuk: That is a lot simpler way of arriving at the decision than going through all the rigmarole you tell me. As I understand it, you base your administrative component on some kind of provincial average of what you assume an average general practitioner spends on his overhead. That is the way you operate.

What I want to get home to the minister is that the general practitioner really has two sources of income. There is the office income and there is the income from his hospital practice in which he does his hospital rounds. It does not cost him anything in overhead for the money he gets from the hospital. These people here operate on a basis that their practitioners do not get that income.

Therefore, the overhead component which you say is 38 per cent, or whatever figure you use which you apply to the general practitioners in the province, is based on two sources of income. If you applied the same figure here, if they had the income coming from the hospital, then they would have a higher overhead per cent.

Hon. Mr. Timbrell: First of all, 38 per cent is an average. That includes all the doctors who are in solo practice, all those who practise with one other doctor and all those who practise with 10 other doctors. It is an average so that, as a percentage of income, the more doctors who practise together the lower the percentage should be.

I think taking 38 per cent as the provincial average is a generous calculation because we are talking about group practices and the more physicians in the group the lower the percentage of administration to total income.

4:40 p.m.

The other point is that the office of a physician, whether he is in solo or group practice, is still going to support his activities in the hospital, in that one still has patient records that have to be maintained, one still has follow-up letters that have to be dictated, and so forth. That all goes through the office. That does not go through the hospital. The hospital does not file one's patient records.

Mr. Makarchuk: You are missing my point. My point is that when the doctor goes on his tour through the hospital, possibly 20 per cent of his income comes from that tour. When these people go on tours of the hospital, as I understand it the doctors do not get any income for that.

Hon. Mr. Timbrell: But again, when we talk about calculations for health service organizations, or even working back from that and looking at the health centres, we are looking at the average cost to the taxpayer through the Ontario Health Insurance Plan for that range of services that includes services rendered in hospital, at home and in the office. Based on looking at that you calculate the others.

Mr. Makarchuk: All right, but my argument is that obviously you give the practitioner in private practice a better break in terms of overhead than you give the clinic. That is all. That is the basis of my argument.

If you are applying the figures on his total income or his gross income, he makes a portion of that someplace else which is not in any way related to his clinic. You are not fair to these people, that is what I am trying to say.

Hon. Mr. Timbrell: I think in fact it is the other way around—

Mr. Makarchuk: No, it is not.

Hon. Mr. Timbrell: —especially when we are talking about group practices.

Mr. Hood: I would like to make a further comment since you are talking about hospitals. It came up in our negotiations with doctors because our doctors are underpaid. It is not like private practice where the doctor can go to the hospital, get on staff and get paid. Our doctors go there and they do not get paid. Our doctors would like to be on staff and be paid. That would also help to build the roster in all HSOs and mental health services.

I understand the ministry has made some move towards some of the doctors being able to do this, but our particular service does not. We are under tremendous restraints. We cannot advertise. We cannot have our doctors go to look after patients and things like that. It is not a normal setting.

We have asked Sister Gina Joseph, who is on the ministry staff, if we could have that instituted in our contract, because our doctors could raise the roster to a very healthy number if they could practise out of the hospital. How we would work this is that if any of our patients went to our local hospital they would not be charged. Someone who was not one

of our patients would be charged for a first visit. Then we would encourage him to join our roster system. We are not allowed to do this as yet.

We are trying to make inroads in this way. We made a suggestion about this problem to Dave Brindle a few years ago, and when Ray Kalusky was there, with no result. It is important, because how are we going to bring people to an HSO setting and let them know what it is all about and how they can save money? When someone comes to our medical centre he can come 100 times and we do not bill OHIP anything.

Hon. Mr. Timbrell: How do the 50 new members a month you referred to earlier arrive?

Mr. Hood: The 50 new members are coming from around the area. We have a 15 per cent turnover in our area because we are in Ontario Housing Corporation public housing units and we keep getting the new people as they come in. We have built it up to 2,992; that is our actual figure on roster patients. We have 550 ineligible. We have 3,500 patients in total, including roster and transients. We could grow much faster.

Mr. Makarchuk: The fact that you would be able to bill for hospital visits, that would even out or provide some sense of fairness to the remuneration that goes to your doctors.

Mr. Hood: It's very low—

Mr. Makarchuk: Could the minister comment on why they are not?

Hon. Mr. Timbrell: Doctors in the province are not allowed to advertise, but my own experience—having had a hand in establishing a fairly large health service organization in my own constituency nine years ago—is that word of mouth and the community organizations sell it. It sells itself; it doesn't have to send around leaflets.

I would suspect that those 50 are coming, because people—I don't know whether you have a different kind of a setup but other community organizations inform people in a directory of community services or whatever.

Mr. Hood: That's exactly what we do here.

Hon. Mr. Timbrell: That's what we do in Flemingdon. Whoever comes in gets a package of information, and they are aware from that that a health centre exists.

Mr. Makarchuk: My question was why can't doctors who work in an HSO bill OHIP for patients who go to the hospital?

Hon. Mr. Timbrell: Because they have chosen to work in a health clinic over fee for service.

Mr. Hood: But I think that initially—if you'll excuse me for interrupting—if we look at the doctors, they are underpaid compared to other doctors. What they are trying to do—they are not moonlighting; the cheque could actually come from OHIP to the medical centre, and we could reimburse them ourselves.

Hon. Mr. Timbrell: You mean put them on a fee for service and let you pay them?

Mr. Hood: No. There's a way of getting around this. You are saying that they choose to be in HSO surroundings. Well yes, we are lucky to get dedicated doctors. These dedicated doctors are in the HSO setting, but they are still asked to do a tremendous amount of work.

Hon. Mr. Timbrell: Sorry, did you say "harassed"?

Mr. Hood: I said they are asked to do a tremendous amount of work and in order to keep good doctors in this type of setting they should be able to make up something.

Mr. Makarchuk: The fact that roughly 20 per cent of these people are without OHIP is something that I think should concern you, Mr. Minister. What happens to these people without OHIP when you have to refer them to a specialist—what happens to them then?

Mr. Hood: We usually make some arrangement with the people we are sending them to. They have been pretty good with us. We try to deal with doctors who are in OHIP, and we have been quite fortunate that they haven't been charged. There may be one or two isolated cases that have been charged, but so far we have been lucky, because our doctors are really—

Hon. Mr. Timbrell: But surely you have helped them get their enrolment up to date?

Mr. Hood: Oh, yes. Would you like me to tell you about the enrolment plan you have?

Hon. Mr. Timbrell: By all means. Go ahead. And then I'll talk about the 1978 medical records.

Mr. Hood: I have a patient who is in the hospital right now; he's had seven heart attacks. He was on premium assistance and was cut off without any notice—

Hon. Mr. Timbrell: Why?

Mr. Hood: Because one year when they finished they never sent him a letter telling him he had to reapply. And this person, right now, is in the hospital with no OHIP coverage. We sent a new form through, an emergency form. It's taken now about eight or nine weeks—

Hon. Mr. Timbrell: And he hasn't been rooted out of his bed. He hasn't been denied medication—

Mr. Hood: Well, listen to me now. He hasn't been rooted out of his bed, but eventually someone is going to have to foot the bill. I feel bad about this, because this is what is normally happening to people who have to apply for OHIP.

Mr. Turner: But he hasn't been denied access to medical services.

Hon. Mr. Timbrell: The most important thing is he is getting care.

Mr. Hood: I am saying that he is getting care, but we are talking about the premium assistance. This fellow was supposed to go into the hospital months ago when the doctor asked him to. But he didn't go in because he didn't have OHIP. And this is a fact. This is no joke. The man is in there now. He's had seven heart attacks; you can check, I can get you that information.

What I am trying to get at is if he was in the hospital two months ago he wouldn't be in the condition he is in right now. The fact is he wouldn't go into the hospital because he didn't have OHIP because he was waiting for the premium assistance. That's what I'm saying.

Hon. Mr. Timbrell: I think this is an important function that the health centres and the health service organizations can play with your roster population. Were you aware of his predicament at the time?

4:50 p.m.

Mr. Hood: Yes, and we also gave the forms to you people to fill out. Somehow—perhaps you mislaid them—they never came forward, and we had to get an emergency form. And we still haven't heard. He is in the hospital right now, still with no coverage.

Mr. McClellan: Do they give you a supply of premium assistance applications?

Miss Coyne: After much difficulty we did receive premium assistance forms from the ministry.

Hon. Mr. Timbrell: What difficulties did you have?

Miss Coyne: We couldn't get them.

Mr. McClellan: Did you know that the ministry refuses to give out quantities of that application form?

Hon. Mr. Timbrell: Whom did you ask?

Miss Coyne: I phoned the office. I can't remember the person's name—it was about a year ago.

Hon. Mr. Timbrell: I am interested, because when you had difficulties a couple of years ago with the medical records and the legal problems there you dealt with the staff—Mr. Berry and so forth. Did you not deal with them when you wanted to get—

Miss Coyne: I phoned the enrolment branch and was told that we couldn't have premium assistance forms, that they were available at Ministry of Health offices and people were more than welcome to go down and pick them up; but, no, they were not available to clinics.

Hon. Mr. Timbrell: I think we have made them available.

Miss Coyne: Yes, you have made them available.

Mr. Chairman: Mr. Makarchuk and Mr. Conway, have you finished?

I just remind the committee we have spent 65 minutes with the group. I know it is interesting and informative, but we have to hear from the South Riverdale Community Health Centre as well. We have less than an hour.

Mr. Conway: Am I on the list?

Mr. Chairman: Certainly.

Mr. Conway: I thought perhaps I could, as I did, get some of my points in supplementary questions.

This is reminiscent of the federal government's famous Canadian Home Insulation Program. If you tried to get more than one application out of them you would be better advised to bash your head against the wall, because they simply do not give them out in any quantity. I was not aware until recently that the Ministry of Health had a policy of not distributing, widely and happily, premium assistance—

Hon. Mr. Timbrell: The booklets are available all over the province.

Mr. Conway: But the form isn't.

Hon. Mr. Timbrell: You will find it in pharmacies and in clinics, and you will find it in physicians' offices.

Mr. Conway: I want to just clear this up because it has been a very significant bone of contention. I think everybody recognizes that, privately at least the government has admitted, that the premium assistance isn't working and can't work very well. We have the famous budget paper D of last year, which is at least a half measure of replacing it with a health tax credit, which I believe would be much better.

Hon. Mr. Timbrell: We have not been as—if you'll pardon the expression—liberal in the distribution of the actual forms—

Mr. Breaugh: I was going to say you are being rather liberal.

Hon. Mr. Timbrell: —as of the booklet informing people about the Ontario Health Insurance Plan, including, on pages 22 and 23, the question of premium assistance.

Mr. Conway: Oh Dennis, that is preposterous. We all know—you more than any of us—what we sat through a couple of years ago, about the very real problems in getting premium assistance, to say nothing of the forms, into the hands of those hundreds of thousands of people not covered. I am amazed to hear that up until a very short while ago forms were just not dumped on your doorstep.

Mr. Hood: Just shortly we received them—not long ago.

Mr. Conway: How long—a couple of months?

Mr. Hood: Well, I—

Mr. Conway: All right. So we now can leave here today knowing, at least, that you are being very liberal with the application forms.

Hon. Mr. Timbrell: More so. But let me point out to you that last year—

Mr. Conway: All right. I want to request an answer. How much more so?

Hon. Mr. Timbrell: To the point that we have 23 per cent of the population on premium assistance at one time or another.

Mr. Conway: That does not bother me. I am worried about the thousands of people—

Hon. Mr. Timbrell: Somebody knows about it, that's the point; 23 per cent of—

Mr. Conway: I don't believe your figures, if I might be—

Hon. Mr. Timbrell: It has just been pointed out to me that we distributed 100,000 of these last year.

Mr. Conway: They are not the forms.

Hon. Mr. Timbrell: They're not the forms, that's true. But they will tell you how to get them in full detail.

Mr. Conway: We all know that many of the people who are not enrolled would not easily be able to deal with many of those forms or would not even know they exist. My point is, what is the policy now, today, on the distribution of premium assistance forms?

Hon. Mr. Timbrell: We are still as it were, very tight-fisted or—

Mr. Conway: For what possible reason?

Hon. Mr. Timbrell: Now, hold on. I ask you, is it not better to direct people to the OHIP offices to ensure that the forms are filled out properly, that we have all the information, than to have the forms—

Mr. Conway: If you live in Eganville, what does that mean?

Hon. Mr. Timbrell: —distributed all over the province and perhaps—

Mr. Conway: It's absurd.

Hon. Mr. Timbrell: It's not absurd at all, if you really want to help these people—

Mr. Conway: Do you mean to tell me that if I go into a doctor's office in rural Ontario I can't pick up the form? Let's take small rural communities. Are they not available in doctors' offices?

Hon. Mr. Timbrell: What are you going to do if you want to ask for some information or have questions about the form? You are still going to have to deal with the OHIP district or branch office.

Mr. Conway: You might decide to phone the local member's office.

Hon. Mr. Timbrell: It still comes back to the OHIP office.

Mr. Conway: You dump millions of dollars of unwanted material on us at a great cost to the taxpayers. I am just amazed that you still maintain this position of being relatively tight-fisted, as you say. That is something we can talk about at a later date.

Hon. Mr. Timbrell: Mr. Chairman, we have distributed material and posters far and wide. They are in unemployment insurance offices, social assistance offices, health clinics, doctors' offices—all over the place.

Mr. Conway: All right, let me ask these good people from Lawrence Heights Medical Centre.

Mr. Hood: There is something special about that particular form—they ask you for a birth certificate. I carry a birth certificate, but can you tell me how many people actually have their birth certificates? And to have to send them in for premium assistance—

Hon. Mr. Timbrell: I think that is true of a great many services, isn't it?

Mr. Hood: But you are asking people to send birth certificates in. The form itself is so complicated that a lot of people just get frustrated and forget about it. I would say that 90 per cent of the people are not even aware of premium assistance.

You mentioned just a minute ago that 100,000 of these booklets are sent out. How many people do we have in Ontario?

Hon. Mr. Timbrell: Eight and a half million.

Mr. Hood: One hundred thousand?

Hon. Mr. Timbrell: And over two million of them are on premium assistance now.

Mr. Conway: I would challenge that figure, but—

Hon. Mr. Timbrell: Go ahead.

Mr. Conway: All right. What I want to know—maybe, Barbara, you are the best one to ask—is there any reason to believe that in just the last couple of months or the last half year there has been greater success, that more people are enrolled, and that you are not having the same old problems to the same degree?

Miss Coyne: I stated earlier that we have been running about 325 to 350 ineligible in any given month—10 to 15 per cent. We jumped dramatically in April to—I've been saying 550, but it is about 600.

Mr. Conway: So, if anything, it has gone the other way; it has got worse.

Miss Coyne: Yes.

Mr. Conway: All right. We will leave that for the time being.

I am interested to sort out this business of how you pay professionals, because it surely has got to be, it seems to me, a matter of concern to a committee like this. If you are not able to pay your professional people a reasonable income, it strikes me as not unreasonable that after a time it is going to be difficult to staff such clinics.

Mr. Hood: Maybe the minister is not aware that some health service organizations have large numbers of people. In our area we have a large population, with the number of people moving up 15 per cent—say that next year we will have 6,000 patients, the doctor's salary does not stay at the same level, it goes up.

Mr. Conway: For 1980-81 you are going to be given a global amount of about \$12,390—

Mr. Hood: No, after it gets all straightened round it works out to \$13,778.08. It works out to 38 per cent over a five-year period.

Mr. Conway: So you are going to be getting upwards of about \$165,000 to run that clinic?

Mr. Hood: Yes.

Mr. Conway: What I want to know is if you still have two doctors.

Mr. Hood: I have to pay two doctors, a co-ordinator and a nurse-receptionist. I still have to pay maintenance and pay for the rent, hydro—all that.

Mr. Conway: Fair enough. I got some of that list earlier.

I don't want you to be any more specific than you have to be, but will that allow you—and, Barbara, you or anyone else can answer this—to pay your two doctors a salary on average much above \$35,000?

Mr. Hood: We are in negotiations with the doctors at the present time. I don't want to mention any figures, but they came back with a letter that said they were being a little underpaid, because the Ontario Medical Association is indicating a \$60,000 to \$80,000 range for the two doctors. One doctor is from \$50,000 to \$70,000 and the other one is from \$55,000 to \$80,000.

Hon. Mr. Timbrell: Whose range are they talking about?

Mr. Hood: This is the new schedule that the OMA have come out with.

Hon. Mr. Timbrell: What range is that? I am not aware of any range.

Mr. Hood: There is a range factor there—this is what came up in our negotiations—for positions in the areas that they are working in, which are industrial areas.

5 p.m.

Mr. Conway: With that kind of global allocation will you be able to pay your doctors an amount that brings them within reasonable reach of that? I just think that some—

Mr. Hood: I can't even meet the lowest range of the Ontario Medical Association schedule. I can't even reach that.

Mr. Conway: Can you give us some idea of what your two doctors are getting now—without being specific, but giving us a range? If I use the figure "35," would that be way out?

Miss Coyne: One would be below that and one would be above that.

Mr. Conway: My point is, if that is the kind of income they are being given, it is about \$20,000 less than the income of the average general practitioner in Ontario. I am trying to be very generous.

Mr. Makarchuk: About \$58,000 is the average.

Mr. Conway: I am just assuming, if that kind of income is maintained over time, you are going to have a smaller and smaller group of people from whom to draw staff.

Mr. Hood: That's right. What one is doing is drawing on the younger medical doctors coming into the field. They take this type of opportunity to get experience. To get the properly qualified doctors—for instance, we have one good qualified doctor there, I am proud to say; we are lucky to have him. But I don't know how I am going to keep him, if we have to stick to this type of salary.

Mr. Conway: Mr. Berry, I presume your response is that this year's allocation should allow them to improve that remuneration significantly. That is really what I understand to be the gist of your—

Mr. Berry: Yes, and I would like to make another point. The actual salary which is paid to physicians within that setting is decided by the board or by the centre itself.

Mr. Conway: We all know what that means.

Mr. Makarchuk: Are you also aware of the fact that some general practitioners in Ontario are probably billing more than that in a month?

Mr. Berry: Yes.

Mr. Makarchuk: You are. That's one GP—in total billings.

Hon. Mr. Timbrell: The irony is public accounts with the health service organization formula; if it was applied to this centre it would put it under. Some members are trying to say that too much is being paid, and here, using a formula that in fact pays this centre more than we would pay them under the HSO formula, some members are trying to suggest it is too little. So we are somewhere in between.

Mr. Conway: Mr. Berry, I just want to be sure of that. I don't mean to make light of what you are saying, but it is like the Office of the Assembly telling me I have \$15,000 to run a constituency office. Of course, I will decide what I can pay for certain things within that range, but the range is pretty well defined within that global budget. That's all I am saying.

So it is your impression that the allocation for this year should allow these people to pay significantly more to those two doctors than was the case earlier. Is that really the import of what you are suggesting?

Mr. Hood: A little bit more.

Mr. Berry: Yes, a sufficient amount. I don't know what "significantly more" amounts to.

Mr. Conway: In discussions with Mr. Makarchuk earlier you said the government has a formula for staff physicians. As I under-

stood it there are five categories. Can you give me those? What are those figures; or is it a secret?

Mr. Berry: No, it's not a secret.

Mr. Conway: I didn't think so.

Mr. Berry: I am not sure that I actually have them available.

Mr. Conway: Well, can anybody tell me, just roughly?

Mr. Berry: Do you have them?

Mr. Hood: I think that we have it here somewhere.

Mr. Berry: Barbara will be able to provide it for you.

Miss Coyne: The range is a base salary of \$33,050 plus 18 per cent, which brings it to \$38,999. That is for experience level one. It goes up to experience level five, \$39,700, plus 18 per cent, which brings it to \$46,847.

Mr. Conway: Those are lower in some respects than what we provide as guarantees for the underserved area, right? You are assuming, I think, that they are lower in some respects.

Mr. Breough: The bottom end of the scale.

Mr. Conway: That is what I am saying—the bottom end of that is lower. Is that guarantee \$38,000?

Hon. Mr. Timbrell: Yes, \$38,000.

Mr. Conway: Actually, those were lower figures than I expected.

I really have only one more question for these people. I am trying to figure out in my mind what kind of discussion goes on between you and the government. I have had some reason to believe that it has not been very regular. Does your board ever meet with the minister or the deputy?

Mr. Hood: We have met with the minister on a few occasions.

Mr. Conway: On a routine or a crisis basis?

Mr. Hood: We always call it a crisis basis. Every time we have to see the minister, it is always on a crisis basis because we don't get to see him that often.

Mr. Conway: So it is a routine crisis.

Mr. Breough: It is hard to see him when it is in a crisis situation.

Mr. Hood: That's right. And then it takes a while before we do get to see him. But he is very firm on his decisions.

Mr. Conway: Do you have a person from the ministry—does Mr. Berry or a representative—meet with some of your staff at least once every so often?

Mr. Hood: I would say Sister Gina was an excellent supervisor or worker. She had I think it was 14 health service organizations and she really worked hard with us. That was the first time—I can say this truthfully—we have ever had any type of communication like that in all our existence. Now she is leaving to go to another field and we have another lady who will be coming in. I don't know how she is going to work.

Mr. Conway: When did this first real communication begin?

Mr. Hood: A year ago.

Mr. Conway: A year ago. That was really the point I was getting at. Have you felt there has been relatively the same kind of communications in your four years, or has it just really—

Mr. Hood: It just started within the last year. In fact, at one time they wanted to close us down. They sent us a promise that we were going to be closed down in 90 days at one time; this was going back to 1978, but then again we had many arguments.

Hon. Mr. Timbrell: I had not heard of that. Why was that?

Mr. Hood: I really don't know why. To this day I still don't know why. We were having a real crisis there.

Hon. Mr. Timbrell: Maybe we should talk about that.

Mr. Hood: Yes, I still don't understand it.

Hon. Mr. Timbrell: I would hope there is some acknowledgement that when your two physicians did resign, rather than closing you down because for a little while there was no—

Mr. Hood: This was going on before they left.

Hon. Mr. Timbrell: The ministry helped you find a locum.

Mr. Hood: No, we found our own locum.

Hon. Mr. Timbrell: I thought we had—

Mr. Hood: No, we found our own locum.

Hon. Mr. Timbrell: —helped you, including the dispute you had over medical records with the two physicians who left. Maybe you would like to discuss that.

Mr. Hood: The fact is we are not talking about when the doctors left, we are talking about before the doctors left when you were sending us—

Hon. Mr. Timbrell: I am just saying the ministry helped you over a very difficult spot there.

Mr. Conway: But it has been suggested the ministry was trying to close you down

before the dispute over medical records, is that right?

Mr. Hood: That's right; it was even before our doctors left. We had to make out a petition for people to sign.

Mr. Conway: Mr. Berry, is this just a rumour or was there an attempt prior to this medical records difficulty to close the Lawrence Heights Medical Centre down; if so, why?

Mr. Berry: There were a number of difficulties with the centre, including the dissatisfaction of the physicians which eventually led to their resignations—or firing, depending upon who provides the interpretation. The other thing that concerned us very much at that time was that it did not appear there was going to be a possibility they would ever reach a roster level which would be viable.

Mr. Hood: Yes.

Mr. Berry: I am glad to hear the figures are 10 per cent, but the chargeback rate and the availability of the services elsewhere was relatively high at that time; it was well over 10 per cent; 15 or 16 per cent. We were concerned about the eventual viability of the operation at all.

At that time we had some very difficult discussions about whether it should continue or whether it should not continue; whether, if we did a health study, it might be more appropriate to provide part-time health services in that centre from one of the other health centres. That was discussed at some length.

I think it would be fair to say, as a consequence of Mr. Hood's tenacity and of some concern on our part to have a chance to look again and to review the situation, the decision was made to attempt to carry on, to provide the necessary funding to maintain them for that period of time until some other health study could be carried on.

When the physicians were replaced and some evidence of growth in the centre roster did occur, we were prepared at that point to give it some time for further development. That is the case. We also are well aware of the fact that some of the smaller centres need some planning assistance. That was one of the reasons for assigning Sister Gina Joseph to the planning part of this operation in order to help them to identify some of the problems which were existent and to give some attention to the possibility of roster growth.

5:10 p.m.

So yes, we did have some serious discussions about not stopping the health services but changing them in some way which might have resulted in the termination of the health centre itself.

Mr. Chairman: I just wanted to mention we do have another group and I am afraid we are going to have to move on.

Mr. Breaugh had a question or two. **Mr. Hood**, did you want to—

Mr. Hood: Yes, I want to respond to that. The summation of the two doctors leaving is somewhat right, but the problem was when the two doctors were still there they were wanting to close us down. That is going back to when I first took over chairmanship in 1977.

On December 17, 1977 I came into the situation where they were getting petitions together for the patients to sign if they wanted to see the medical centre left open. We had hundreds and hundreds of names on that petition; I did not count them. Apparently you were in that discussion then, before there were any problems with any of the doctors who were with the HSO.

Hon. Mr. Timbrell: Pardon?

Mr. Hood: You were in that negotiation when I first took over the chairmanship and there was no trouble with any doctors at that time. So it was not because of the doctors leaving that you decided. The doctors were there when you were deciding.

Hon. Mr. Timbrell: Why did the doctors leave?

Ms. Lance: I would like to make a few comments. First of all I think a contributing factor is that the ministry has never had a model by which to guide health centres through their growing years. That was certainly part of the problem for us in our growing stages and with the two doctors in question. I was chairperson prior to the problems arising.

In disagreement with you, Mr. Berry, we did like the doctors. However, we could not agree to some of their demands, so they decided to resign. We accepted their resignations and there was no time at all during that period when we were without coverage because I personally got the locum. It was over a long weekend—I am not sure if it was the Easter weekend but it was a long weekend; and they left on a Friday evening at 5:30. I was on the phone making arrangements for a locum to come in for coverage on the Monday and providing answering service coverage for the weekend so there would be no period of time that service for

our patients was stopped. Our priority concern was for our patients, that the service would remain the same.

There was a difficult period of time, but you have to understand it is a community board and sometimes internal problems do exist with doctors which may not have existed if we had a model we could have been guided by or if we had had better communication with the ministry, which we did not have at that time; we appreciated that within the last year. So we have all grown out of that experience. We will not get into the employer/employee relationship because that is another issue.

Mr. Chairman: Mr. Breaugh, did you have a specific question?

Mr. Breaugh: No, I know these people rather well and I will forgo my questions so we can get the South Riverdale people on.

Hon. Mr. Timbrell: I just want to be clear. I understood there was some dispute between the board and the physicians. Could you just clarify for me what the demands were, what it was the physicians were objecting to that led to this dispute?

Ms. Lance: I do not have anything with me but I could certainly get that for you.

Hon. Mr. Timbrell: I understood, for instance, there was a question about access to medical records; that was at issue.

Ms. Lance: I will explain that to you. That had nothing to do with their resigning.

This was on the Monday of that long weekend. At the same time we were hiring a new receptionist and she could not start on Monday. Because of the confidentiality, which I as a community person would uphold strictly, I did not choose to go in there alone to take on the responsibilities of a receptionist, as I was asked to by the doctor. I approached another board member and the two of us assumed the duties of the receptionist, answering the phones and taking care of the patients as they came in for their appointment with the doctor.

I made it very clear at the time to Dr. Dresser that I would not at any time handle any medical records and he, not knowing the circumstances or the situation, thought that was odd. That is where that came up.

Hon. Mr. Timbrell: That is why I want to be very clear because at the time I understood there was a dispute over the question of who had access to records, and this was a factor.

Mr. Breaugh: I wonder if the committee could arrange a visit by the minister to Lawrence Heights so that he may fully ex-

plore and get a complete explanation of why Jean worked the desk on that weekend.

Hon. Mr. Timbrell: That was not, in your view, a factor?

Ms. Lance: If you and I are fighting I am going to get any type of weapon and strategy I can to win my argument or case, and that is exactly what was happening there. During the argument and the phone calls to the ministry, to you or your representatives, they were saying a whole lot of things, but I am sorry that is not true. I would take that stand on oath in the highest court.

Mr. Chairman: Thank you very much, Mr. Hood, Ms. Lance and Miss Coyne, we appreciate you coming in.

South Riverdale Community Health Centre, Sheila Cram, chairperson, and Dr. Michael Rachlis. Do you have a statement?

Ms. Cram: I would like to give a short pen sketch of the health centre for the people who might not know it well; and then we would like to raise three or four concerns we have about the capitation system and the community health centre program and its future.

From my understanding, one of the pushes which created an atmosphere where health centres could exist was in 1969 when there was a task force on the cost of health services, followed in 1972 by the Hastings report on community health services at the federal level. The Hastings report gathered quite a bit of interest in people who wanted to have a consumer control of their health services.

In South Riverdale, which is a part of Toronto in a section east of the Don River, there had been a lot of community organizing and this area was very active on many levels. In 1972, a brief for a community health centre was presented to the ministry. That coincided with the Hastings report, but the ministry was not at that point able to receive the brief and no active programming was started.

In 1974, interested parties regrouped in South Riverdale to present another brief and this one was accepted in about February 1975. This was a small committee of about eight to 10 citizens meeting on a biweekly basis to draw up the brief, to draw up by-laws for the constitution, and to incorporate the centre as a nonprofit corporation.

5:20 p.m.

On November 1, 1976, the centre was opened in a Metro building that needed major renovations. These renovations were done about a year later after the centre

had been functioning in a very poor facility for one year with two doctors and a nurse-receptionist.

The income on opening was a global salary. We called it a global salary—it is now called salary plus overhead—but we did not understand the formula very well. It was \$97,000 at that time.

In 1977 the first annual meeting was held. There were about 95 people present from the community who were members of the health centre. Not all were patients because membership is open to residents and not just patients. At that annual meeting our first formal board of directors was elected; that was 12 people.

At the first board meeting, after the annual meeting had chosen the executive, I was to be president.

Renovations were completed in February 1979. We are now in a very high quality physical plant with facilities for six examining rooms. We have two doctors. A registered nurse has been sent off to McMaster University out of own budget, with a bursary from us, and she is back as a nurse-practitioner. We have a full-time receptionist and will be expanding to a further reception period.

We have had Canada Works contracts for community workers to work with us. We have a part-time nutrition program at this point. At our open house to celebrate the new facility in May we had about 300 people present.

We have community programs, in the way of educational programming for small community groups like women's groups and libraries, with the RN and the nutritionist taking an active role there. We have a pollution committee that is quite stringent on the pollution from Canada Metal Company Limited, which has always been a health concern in our area and was one of the forces motivating us to get a health centre.

We are now entering a new phase with a major planning document for the next 18 months' planning, on which we worked with the ministry. We hope to do a feasibility study on a dental program and we have started our feasibility study on a pharmacy program.

I think Mike has something to say about two things.

Dr. Rachlis: We have a couple of major concerns at this point. I thought I would present a couple of them. I think Sheila has another one. One of them is the issue you heard from the earlier group, which is the

number of people who don't have health insurance.

We are not on a roster system right now. One of the main reasons we cannot consider going on to a roster system even in the near future is that we have a large number of people who do not have the Ontario Health Insurance Plan. We have about 3,200 or 3,300 people on our dummy roster we keep for the ministry. Of that number, around 800 do not have health insurance benefits; that's 25 per cent. But that is a gross underestimation of the problem, because we have another 800 charts on people who never had an OHIP number to begin with.

In other words, these people—25 per cent of our roster—who are out of benefits are people who came into our health centre originally with an OHIP number in their hot little hands—or a hot little OHIP number in their cold little hands, as the case may be—and then at some later date were found to be out of benefits. Perhaps the number was not good to start off with; perhaps they became unemployed six months down the road and they did not pay their premiums.

This problem which Lawrence Heights and our centre have noticed is quite common to other health centres in the province. A group of us collected some data from the month of October 1979 for nine centres in Toronto and Ottawa. We found of the 44,000 people on those centres' rosters during that month, approximately 14 per cent were out of benefits. Again, this is an underestimation because every centre has a large number of people, somewhere between five and 25 per cent of their new patients, who do not have health insurance when they come in. So the true figure would probably approach 20 per cent for these centres.

As some of you may know, the federal Medical Care Act states that one of the provisions for provincial plans to draw benefits from the federal government is they must have a universal health plan. The definition of that universal plan is 95 per cent coverage. We are not talking about people who are taken care of if they're dying or they're sick and they don't have health insurance. We are talking about coverage.

We searched to see if there were figures available in other parts of the province. We searched high and low and we could not find any. As a matter of fact, one of the places I searched was the Hansard for October 1979 from this committee in which Mr. McClellan asked the minister whether he had information on the number of people who did not have health insurance coverage. He assured

the committee at that time that it was a universal plan.

As near as we can tell, this is the only data that is available in the province, and even though it comes from poor areas of the province where the problem may be more acute, we think this deserves further study. We are pleased the ministry has recognized this as a problem. We are pleased they note that \$1.9 billion they currently get from the federal government is in danger by administering a plan that may not be universal. That is about one seventh of the provincial budget.

Hon. Mr. Timbrell: Did you read the comments of the Hon. Monique Begin in her estimates last week on the question of universality and the principle—

Dr. Rachlis: It is on my reading list at home, but I just have not got to it. Maybe you can refresh me.

Hon. Mr. Timbrell: You should read it.

Mr. Conway: Save us all reading it and tell us later.

Hon. Mr. Timbrell: I will send it to you.

Dr. Rachlis: Okay, I would appreciate that. We are pleased that this year the minister has become aware of the problem. I heard he was reminded of it in a gathering of his own party recently, and that the premium assistance forms which were hoarded like gold are now more freely available. We appreciate that.

We also appreciate that this year for the first time in our contract negotiations consideration was given to the numbers of people we saw who did not have health insurance. So in other words, they did not look at just the 2,400 people who were on our roster and who were insured. They did look at the other 800 on our roster without insurance and the other 800 to 1,000 people who never came in with health insurance.

A second point I want to raise is that currently there is a freeze on the funding of new health centres. Up until 1973 health centres like ours were funded from a variety of sources. They got research and development money from the Ministry of Health, or they got money of similar sorts from Health and Welfare in Ottawa. In 1973 the government moved to formalize this and draw it into one area and it was put in the program development implementation group under Dr. John Aldis.

Between 1973 and 1975 there were a total of 30 centres that were given promises of funding or were given contracts. Of those 30, approximately half were sponsored by

physicians, groups of physicians working primarily in rural areas. The other half were sponsored by communities, such as our organization at Lawrence Heights.

In April 1975 there were another 60 groups who were either preparing briefs or had briefs ready but had not submitted them, or were in some stages of preparation. Almost all of those were community-sponsored centres. In early April 1975 the then Minister of Health, Frank Miller, announced a freeze on the funding of new HSOs pending an evaluation which we still do not have.

We are pleased to hear the minister is negotiating with groups of doctors to set up other physician-sponsored HSOs. We applaud that step. However because of the way the capitation system is set up a group is only financially viable under capitation if they already have patients. So in other words, if a community group—and I know many in the province that are interested—wished to sponsor a centre, they would have to get development funds. So far, there is no talk of anything like that. I hope the minister, when he is considering funding new HSOs will look not only at the physician-sponsored clinics, such as St. Mary's and other centres, but will look at the development of other community-sponsored centres, such as South Riverdale and Lawrence Heights.

Mr. Chairman: Mr. Breaugh—I am sorry, Ms. Cram. Did you have something else you wanted to convey?

Ms. Cram: No. I have some concerns also about the opening up of the program, but I will take questions.

Mr. Breaugh: I am pleased that we got these health centres and some of their people in front of the committee this afternoon. They happen to be two I am thoroughly familiar with.

I wanted to work a slightly different angle. We had some discussion about whether HSOs could afford to pay their physicians enough money. I have to state frankly that I have a little problem of getting aroused and going to the barricades over whether or not we pay a doctor \$35,000, \$38,000 or \$27,000, or whatever. There seems to be an opportunity here for the government to implement a number of ideas which make a good deal of sense to me, which seemed to have been proved in a number of other jurisdictions but which never seem to happen in this province for a variety of reasons.

For example, the ministry has gone through a little bit of an argument with podiatrists. It has now come up with a scheme that they are going to have chiropodists function in the province. Have HSOs been approached as an agency which might make use of salaried staff with that kind of training?

5:30 p.m.

Ms. Cram: If I can take that question, before Christmas we had an offer by a chiropodist who is highly respected, British trained, to volunteer his services as a professional chiropodist at our health centre. We have a lot of volunteers in our centre who went through our volunteer protocol.

We've talked about a planning committee. The program opened on February 8. The program closed about February 15 because we had been monitoring the lawsuits that have been going on at the Toronto General Hospital. There was a surprise overturn and they were charged with an illegal act—basically of having a nonprofessional podiatrist functioning. As a small centre with three inadequate insurance policies and only two doctors to provide supervision, we felt we were not in a position to be aiding and abetting and opening ourselves to a suit by the podiatrists.

A letter was sent to Mr. Timbrell's office about five weeks ago. I haven't had a response to date. It asks him, in the light of his statement to the House, whether he is willing to back us up morally and in writing so we could have the chiropodist practising at our centre as a volunteer on a weekly basis so that our patients could get foot care. I think I have a copy of that letter.

Mr. Breagh: Let me pursue a number of things along this line.

Ms. Cram: That was our response, and we wish to pursue that so we will not be the weak link that the podiatrists can attack.

Mr. Breagh: Okay. So if the ministry now moves to legitimize that type of practitioner, you would then be able to function as—but I want to drop the other shoe, and that is—

Mr. Conway: Mike, before you do, maybe we could just ask very quickly, what is likely to be the minister's response to that?

Mr. Breagh: I do not want to hear it.

Hon. Mr. Timbrell: Until we get the act—

Mr. Conway: All right; fair enough.

Mr. Breagh: That is why I did not want to hear it.

Hon. Mr. Timbrell: That is the difficulty, as we have discussed it so many times; we have a Chiropody Act in Ontario, which since 1944 has been ruled by podiatry and you end up with Toronto General Hospital in court—this kind of problem.

Ms. Cram: But we thought you had made some declarations for a plan in the next three years, and since we had an active person and Toronto General Hospital was advertising in the Toronto Star about 10 days ago for new British-trained chiropodists, we felt that if Toronto General Hospital can be flouting the law as it exists today, then maybe we could be—

Mr. Breagh: Okay. Let me put it in a slightly larger scale. Let me run down the list. There are chiropodists who are about to become legitimate. It would strike me that nutritionists are useful in a number of places, but are also difficult to place because there really is not much of an incentive for a family practitioner to hire one. Again there would be something, if I read the old ads right, of which the minister is probably in favour. It strikes me he ought to be offering incentive grants to people like you, in an HSO, to hire people like that and put them on staff, and I know you have one.

There are nurse-practitioners around whom this ministry has also said are great pieces of business; it set up the school for them over there in Hamilton, generated them. Again there are some HSOs which have them, but there is the placement problem because everybody forgets about the money at the other end of it.

We could go down the whole list and include physiotherapists and a great many other health care practitioners who are struggling along and, for whatever reason, the establishment in this province does not choose to recognize them.

The ministry has made its position known on a number of these specifics and generally with some restrictions has endorsed their use. In other words, it has delineated what these people can do, what kind of care they can provide, and under what circumstances. The problem still remains that for a raft of them there is no place to work; because the physician, looking at a fee-for-service system, sees no odds in hiring these people and putting them in his office. Hospitals are facing restrictions on them; so are public health centres—all of them. We could go on to dental nurses. We could do a lot of things. In other words, there is a raft of practitioners out there.

It strikes me there are people trained to provide a specific service. We have identified, as well, each health service organization where we have community boards identifying specific kinds of needs in particular communities. In the matching process of trying to find a place where these people can carry out those things they have been trained to do, not to practise illegitimately, it seems to me the logical place is in an HSO. But if we load up the HSOs with these people without any consideration of the financial part of it—in other words, if we just said, “You can hire whomever you want, but the budget doesn’t change,” it doesn’t work either.

So it strikes me, again, that there is a need for the ministry to respond. Having identified that certain kinds of care can be provided under certain kinds of circumstances and that this would be a good thing for people like you to do, I then expect to see the ministry add some incentives, either by additional amounts of money in the global budgets or by identifying more specific amounts to provide for particular kinds of care.

Have you approached the ministry on that basis—that there are people around whom you could use a great deal, but you really can’t afford them?

Dr. Rachlis: As Sheila mentioned, there was a 30-page planning document that we recently completed so that we could sign contracts. In that planning document we detailed what staff and what programs we would like to add. It seems to us at this point that the logical way of doing that—not out of the capitation system, because we’re not on capitation now—is to extend what they have done with nurse-practitioners.

In other words, up until this year our contract was based on physicians’ salaries and overhead. This year, for the first time, there is a component for a nurse-practitioner. There was talk of there being funds for nurse-practitioner and overhead, just like doctor and overhead, but when the public accounts committee hit the newspapers a couple of months ago it seemed we couldn’t get favourable funding.

A logical extension of that would be to fund other practitioners and an overhead component, as you said—fund a nutritionist and an overhead component, fund a physio-therapist and an overhead component, et cetera.

Mr. Breagh: What has been the ministry’s response to that so far?

Dr. Rachlis: Well, as I said, I am pleased that this year they have funded nurse-

practitioners. I think it is a major step to give us funding based on practitioners other than a physician. Maybe all we can do now is hope this is a sign that, in the future, things will continue to go that way.

Mr. Breagh: My basic problem with capitation or capitation negation, or whatever derivative comes up the next time around, is essentially that the system is set up to function as a parallel to a doctor in private practice on a fee-for-service basis. You can round it off and generalize it, but that is the basic thrust of the thing. The relationship back and forth is pretty concrete, and it’s a little tough to break out of that cycle if you accept that funding mechanism.

It is ironic that the smaller ones, those with not large dollar amounts, maintain the global budgeting system, which essentially strikes me as being the mechanism enabling you to identify the community that is served and to specify the kinds of needs to which you are willing to address yourself and the kind of personnel you need to carry out a job.

In other words, it is not a funding formula that is given to gimmickry but one with a direct line relationship: “We want to do this and it will cost us this amount of money,” and the ministry then says yes or no.

I have been to your clinic. You mentioned that you have done a renovation program. It also strikes me as ironic that those who are able to provide care for fewer dollars than anybody else around that I could see do not really have either the capital funding or the operational funding to go forward. How do you approach capital funding?

Ms. Cram: Capital funding came from the federal government through the Neighbourhood Improvement Program. We went on record, on December 17, stating in eight points what we understood as the difficulties with roster. One of them is that there is no startup money given to new health centres for capital funding. You start at a certain level of funding which would cover your doctors plus your overhead; there are no startup funds there.

We were lucky that we lived in an area that was immediately eligible for NIP, and that it was available at the moment when we were starting. I think other health centres have used Central Mortgage and Housing Corporation money for their new buildings.

There is cost that is not Ontario Health ministry cost; for instance, we had salaried people from Public Works Canada for almost two years.

Mr. Breagh: I don't want to preclude others from speaking, but I have one more thing that I want to pursue. That is the matter you raised about the number of people who are not covered.

5:40 p.m.

Have you put to the ministry any proposals—aside from the great, raging argument about whether application forms are available or not—to compensate for that? Have you discussed, in a formal way, any technique which might recognize that there are a lot of people walking in your door and receiving care for which you get no financial assistance at all?

Dr. Rachlis: First of all, I should tell you that this is on a couple of different levels. At one level there are some resolutions that we passed at our annual meeting. They called for changes in the OHIP system; primarily the elimination of premiums, which pay for less than 30 per cent of the health budget.

On another level we help people get OHIP coverage. Unfortunately this is starting to involve a lot of time, as was mentioned by Lawrence Heights Medical Centre. We are going to need to pay one full-time physician, at least, just to deal with educating people about OHIP premiums; helping them fill out the forms, phoning back to discuss things with the OHIP bureaucracy when they are turned down, and on and on—especially if we go on capitation and our funding then depends on the people who have health insurance. We see this as a potentially major administrative problem of the capitation system in areas like ours.

I am also informed—and I am afraid I am not at liberty to say to which centre this applies—that an HSO in an extremely affluent area in southwestern Ontario has seven per cent of its roster without benefits. This is in a city with one of the highest per capita incomes in all of Canada and nearly full employment. So this seems to be a problem even in other centres.

Mr. Breagh: Let me try to be a little more—

Dr. Rachlis: Spending a lot of time helping people with their problems is good for those people, but that means we do not have money to pay nurses and others to help make people better.

Mr. Breagh: Have you ever attempted to cost that, to put in dollar form how much income you lose because people are out of benefits, how much staff time you spend filling out forms and arguing with people

over OHIP? In other words, what does it cost you because people do not have coverage?

Ms. Cram: At this moment, with global coverage, it is not costing us dollars, because the ministry did give some recognition to our numbers that were noninsured.

I think one of the worries about the roster system is that it would cost dollars. We have a health administration student from the University of Toronto who has been working for six weeks just to try to develop a technique that will be successful in getting people OHIP-insured. We have phoned people, we have tried the letter technique, and we have tried catching people in the door the first time and the second time. We are not even clear how to be successful in getting someone to apply for premiums and so on.

I think a lot of our people with premium assistance are senior citizens, but we still have a lot of people who are not senior citizens and who are not on welfare who are not insured. They are the hard ones to get enrolled.

Mr. Breagh: Maybe the difference between you and me is that you, apparently, have not given up hope about the OHIP system and I have. I would be prepared to move now to some identification of cost. Even if it did not cost you dollars because you were getting volunteer work or coverage under global funding, it still means you must restrict other programs in order to carry out that kind of a job.

Frankly, I would urge you to do that; to attempt to put a dollar value on how much time you spend there, how much money would be lost or is lost because they are not covered under OHIP.

Let me pursue one other line of questioning. I want you to give us the long list of help that you have from the Ontario Medical Association in finding physicians who may even be opted out—you are, of course, aware of the great agreement between the ministry and the OMA which will ensure that you get those at the proper rates—but how many times a day do you use the hot line of OMA to find a physician who will perform at the insured level of rates?

Dr. Rachlis: I am afraid that I have not used the hot line. I guess I should explain that we have developed over the last four years a list of specialists. I think we have been rather lucky that, through some diligent work and some co-operative specialists, we have been able to develop a list of spe-

cialists we refer to who are, for the most part, in OHIP.

That's why, when people approach us and say, "Tell me about the problems you have had with people being sent bills, and people getting care and having to pay lots of money," our response is, "Well, they must not have a good family doctor, because it's really up to the family doctor to make sure that the specialists he is referring them to is in OHIP." On the other hand that does cost us time. There's absolutely no question about it.

The other problem that we run into is finding opted-in specialists in certain areas. For example, I had a patient recently who requested a delivery at Women's College Hospital and the gynaecologist—we are very lucky to have a superb gynaecologist; I won't mention his name because he would be so busy with patients we wouldn't be able to use him—

Mr. Breagh: You would get sued by the OMA for advertising too, so don't mention his name.

Dr. Rachlis: He used to work at the Toronto East General Hospital, and he is in OHIP.

This woman requested delivery at Women's College Hospital. At that time—four months ago—there were nine gynaecologists practising out of Women's College Hospital and none was in the Ontario Health Insurance Plan.

I got the list of nine gynaecologists and I started off with the head of the department. When I spoke to his secretary, I was told that this person should go to the outpatient clinic. Going to the outpatient clinic would have involved this person in seeing at least two and probably six or seven different residents in training during her prenatal care, and she would not really have known who would have delivered her. She didn't want that, of course.

I think no area better illustrates how poor outpatient care is for continuity in care and delivery. A woman sees a different doctor every time she is there, and when she comes in for delivery it's another doctor. I said that wasn't suitable. Then the doctor's secretary said the doctor would not see this patient and that I should try someone else, because he had a bad experience with these people keeping the cheque OHIP sent them.

I phoned the second doctor and I got the same response. I phoned the third doctor and got the same response. I had to phone four out of nine doctors before I got one

who would give her care at OHIP rates, and I spent at least an hour on that case.

Two weeks later I was trying to make arrangements for a woman to have an abortion and I think I spent about two and a half hours on the phone before I found an opted-out specialist who would give her care for the opted-in rate. And this is a doctor phoning and advocating for his patient. I would say that this is a waste of my time.

Mr. Breagh: Are you aware of any program run by either the ministry or the Ontario Medical Association to assist health service organizations in the provision of specialized staff?

Ms. Cram: We have a very large manual, quite thick, with all the practitioners in the province in alphabetical order, not by specialty, which will tell you where they are. But it's not that useful. It's not something that can be on everybody's desk, it's huge. Anyway, we have not used it. We have used our network, our patients' recommendations. We get new patients who already have a gynaecologist and they tell our staff of their successful experiences.

Hon. Mr. Timbrell: A reprinted version of that will be out next week and it will be in a nice handy pocket size.

Mr. Breagh: Has it got your picture on it?

Ms. Cram: I have a question I would like to put to the people from the ministry. We are concerned about the future of community health centres down the road. We've done an 18-month planning document—

Mr. Chairman: May I just interrupt? First of all, our two-hour allocation for this subject has quite elapsed. We started at—

Mr. Breagh: Would anybody mind if we took an extra 12 minutes?

Mr. Chairman: It's up to the committee. The time is running. If we use it on this we'll take it off something else. That's up to the committee; whatever you want to do.

Mr. Conway: I'll stay here until the sun sets, but I want to be clear on this; we did agree to three two-hour segments and—

Mr. Chairman: If we use 12 minutes on this it will come off something else.

Mr. Conway: Let's take it off someplace else.

Mr. Breagh: Yes, agreed.

I have one final question I would like to put to you and perhaps let the minister have a chance to step in.

One of the things that is consistent about HSOs, big or small, no matter where they are, is that they do substantially and identifiably reduce the occupancy of the local hospitals. Tell me all about the programs run by the Ontario Hospital Association itself or by local hospitals to provide you with services, with equipment, whatever.

5:50 p.m.

Dr. Rachlis: I am sorry to say that is one part of our program that we have not been very successful with. We have not had very good liaison with our local hospitals. As a matter of fact, sometimes we have trouble getting discharges from them.

Without taking up too much of your time, I would say that is one area where we desperately need help from the ministry—dealing with institutions like our local hospitals. In a rural area it is not a problem. In an urban area like South Riverdale, where there are five or six downtown teaching hospitals nearby, it is a real problem.

Hon. Mr. Timbrell: What is the problem?

Dr. Rachlis: Dealing with hospitals; that is as far as their liaising with us and communicating with us over our patients. In general we need a lot of help from the ministry in getting in touch with the rest of the health care system, whether it is hospitals or the public health department.

Mr. Breaugh: I would think it would be a normal role for the ministry to carry out that kind of co-ordination if the system is to get better and if we are happy with health service organizations, as I am. They do several things which need to be done in slightly different ways. One of them is to reduce the length of time spent in hospitals.

It strikes me the system could improve itself if the ministry would do that co-ordination between HSOs and local hospitals, the formal hospital association or with the Ontario Medical Association. I do not really see a great deal of that going on. I would be interested to see if any specific recommendations have come, either from your HSO or anybody else, to put that together.

One final question—

Mr. Turner: Just before you go on to another question, what kind of co-ordination are we talking about?

Mr. Breaugh: For example, between a teaching hospital and an HSO there could be a grand and glorious arrangement of staff, interchange, use of facilities, co-ordination, placement services and so on. In some places, I am told, this does happen—

Hon. Mr. Timbrell: That's right.

Mr. Breaugh: —but it happens on a rather informal basis; it is kind of hit and miss. In some places it is quite good, and in some places it is nonexistent.

Ms. Cram: Our new building is in good condition, but the personnel committee asked the property committee if it could have an assessment of its cleaning needs; just the hygiene, the sterile areas—technically, it needs more than what the nurses have done. No one on our board or in our volunteer crew has any expertise in how to maintain a building of that size—the medical needs, the electrical needs and things like that.

We have been trying to use someone from Toronto East General Hospital, and that is an informal social contact, but it doesn't seem to have priority because the appointments keeping getting cancelled. This has been going on for about four months.

Basically, the Toronto East General has a very good maintenance department and they could give us a list of how often we should do our carpet cleaning in no time flat. There is that sort of expertise that our community health centre does not have.

There are medical components to all of that too.

Mr. Turner: Is it being denied to you?

Ms. Cram: It is not being denied, it just has no priority. There has been no—

Mr. Breaugh: No great happenings.

Ms. Cram: It is very hard.

Mr. Breaugh: Do you have any formal or informal association of HSOs; and if so, how does it work?

Dr. Rachlis: There is an informal association. In Toronto we have been meeting for two and a half years now. In Ottawa, the four centres there have been meeting regularly for two years.

Mr. Breaugh: Okay, but there is no formal organization comparable in size or in nature to the Ontario Hospital Association, for example?

Dr. Rachlis: No.

Mr. Breaugh: Maybe if you bought a monocle you might get somewhere. I will leave it there.

Mr. Conway: I just want to come back to you, Sheila. You do not have a roster, you have what you call a "dummy roster." You are funded on a global allocation of, what? In 1976 it was \$97,000; what is it now?

Ms. Cram: For the year we are completing it is \$124,000.

Mr. Conway: All right, that's fine.

Ms. Cram: Okay? And we are going into an increment, a very high increment.

Mr. Conway: This is where my understanding really falls down. I apologize for being so thick, but you don't have a roster, you are not on a capitation system.

From Mr. Berry's point of view, what do I have to do? If I move into South Riverdale and I walk in and sign up, am I then on your roster, which is really something you don't recognize as a funding mechanism because you are not on a roster system, right? Just explain to me how that works. I know how it works in a capitation system but I don't understand how it works for these people.

Mr. Berry: The intent, of course, is to provide them with information on a regular basis about the activity of the people on the roster. The assumption is that eventually the roster will be at a level which will make it economically viable to go on to the capitation system which we think would be distinctly to their advantage. But before one does that, one has to be careful that the activity, particularly the chargeback activity which would lead to some negation, would not create a financial difficulty if they were to go on a capitation system.

The other thing is that we provide a fair amount of information on what is happening with the patient activity on an aggregate basis, so they will be able to study the activities of their own roster of people; we hope that can assist in the process of health planning.

Rather than refuse to allow them the same benefits of having this data applied, we add their people to the roster and provide them with the same kind of data we would expect to provide them with if they were in an HSO.

Mr. Conway: All right, so I move into South Riverdale and I walk in and see Dr. Rachlis, and I get some service. I presume I can. Then for the next treatment I decide I am going to go somewhere else. I am going to go down the street to a regular fee-for-service general practitioner, who I assume is not too far away in South Riverdale.

Am I allowed to do that? There is no chargeback under this system, is there?

Mr. Berry: No, but they would have the information to tell him what is happening with their roster.

Mr. Conway: All right, that is what I am getting to. My Ontario Health Insurance Plan number, through some administrative

mechanism, tells them I have gone elsewhere for another service.

Mr. Berry: No, not you.

Dr. Rachlis: Not you, just total numbers.

Hon. Mr. Timbrell: It wouldn't go that way because of confidentiality.

Mr. Conway: All right, but when somebody on their roster has gone somewhere else.

Mr. Berry: What we would say is that this month 10 per cent of your people went outside for services.

Mr. Conway: Fair enough. All right.

Hon. Mr. Timbrell: Now the average for HSOs is what? Four to eight per cent?

Mr. Berry: No, it runs about eight per cent, from a minimum of something around four per cent to something around 20 per cent.

Mr. Conway: But at present there is no chargeback. They get a monthly statement indicating there is that kind of travel elsewhere.

Mr. Berry: That's right.

Mr. Conway: All right. Would you, from your point of view, see that 3,200 to 3,300 on the dummy roster—800 of those had no OHIP number and there was another group I never quite understood, who were they?

Dr. Rachlis: They were about about 800 people who never came in with OHIP numbers and were never enrolled in the first place. About 4,000 total.

Mr. Conway: All right.

Dr. Rachlis: I know the time is short. I wonder if we could just follow up on one point that is quite crucial to us that was raised earlier.

Mr. Conway: Sure.

Dr. Rachlis: Health centres—again these are the community-sponsored centres as opposed to the physician-sponsored centres—have completed this 18-month planning document. We are in the process of signing contracts now for an 18-month period. We have some reason to feel good in that we got a rather large increase in our budget. We have had a very happy experience with our staff representative from the ministry in the last year.

But we have some concerns that at the end of that planning period we may be in the same position as we were in two years ago, which is to go on to a capitation system we don't like or that's it. In other words, put up or shut up.

We are a little concerned at this point that even though things look rosy now, and they do look better than they did, we may be facing problems 18 months down the road and perhaps there won't be the strength in the opposition benches to save us as there has been in the past.

Mr. Conway: Oh, I am much more hopeful. Dennis will make a very good opposition Health critic, I can assure you.

Mr. Breagh: They will be just as effective as they are in the government.

Dr. Rachlis: I bring that point up partially out of information, and also to ask the minister what plans he has for the end of that 18-month period.

Mr. Chairman: First of all, Dr. Rachlis, I should say this is the estimate committee and we don't have any provision for witnesses to ask the minister questions.

Mr. Breagh: Let me ask the questions.

Mr. Chairman: The members of the committee can do that.

Mr. Breagh: I just asked the same question.

Hon. Mr. Timbrell: Mr. Chairman, we have gone through a lengthy process in the three years I have been in the ministry, first of all in developing the HSO formula, which now applies to 13 HSOs; who are represented here today and who have significantly different stories to tell.

In that process we made provision for the continuation of global budgets, including significant increases to take account of a variety of factors—including those of the uninsured—that have been brought up in the process through a series of meetings with representatives of what were then called HSOs. They total 26. We will continue to support the centres.

At some point we are going to have to look at the kinds of questions raised by the provincial auditor about the cost to the provincial taxpayer and resolve them. But I have no plans and the ministry has no plans to withdraw the support of the health centres.

Vote 3204 agreed to.

Mr. Chairman: Tomorrow, after routine proceedings, we will deal with the ambulance services.

The committee adjourned at 6:01 p.m.

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Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development
Estimates, Ministry of Health



Fourth Session, 31st Parliament
Tuesday, June 10, 1980

Speaker: Honourable John E. Stokes
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

TUESDAY, JUNE 10, 1980

The committee met at 3:37 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF HEALTH (continued)

On vote 3202, institutional health services program; item 4, ambulance services:

Mr. Chairman: I call the meeting to order. Today we are hearing from the Ontario Ambulance Operators Association. We have Mac Lewis, the president of that association; Larry Hollinger, secretary-treasurer; Kent Millroy; and Don Robinson, counsel.

The minister has some information to table.

Hon. Mr. Timbrell: While the gentlemen are getting their seats, as the members know, until the late 1960s ambulance service in the province was on, by today's standards at least, quite a disorganized basis.

Mr. Conway: It is interesting that you of all people should use that phrase.

Hon. Mr. Timbrell: In a manner of speaking. Since that time, we have developed what is reputed to be one of the finest ambulance services anywhere in North America. I think I gave the critics copies of the article written in the Montreal Gazette a couple of months ago, examining their situation and wishing they had what we have in Ontario.

Part of the system includes the private operators. Members will know that in recent years and in recent months, there have been a number of issues involving the ministry and the operators.

I should say something about one area before I get on with tabling the documents. Members will know the Ontario Provincial Police, working in conjunction with the Attorney General (Mr. McMurtry), are conducting an investigation into the operations of some ambulance services. The investigation included the execution of certain search warrants which were the subject of judicial proceedings in the Supreme Court of Ontario this spring.

The decision in those proceedings has been appealed to the Court of Appeal by the ambulance service operators in question, al-

though that appeal has not yet been heard. So in the circumstances, I will be unable to answer any questions pertaining to the subject matter of the investigation since the entire matter is, according to my legal adviser, sub judice. I would not want to prejudice in any way, the court proceedings, or the rights of any of the parties, or the proper conduct of the investigation.

Mr. Conway: One more time, with feeling.
3:40 p.m.

Hon. Mr. Timbrell: I hope you do not have to face a court proceeding some day, but if you do I hope somebody respects your rights.

There are two matters that have been of considerable interest to the operators and, of course, to the ministry. They have been matters of debate for some time and I think are now resolved. They have to do with the question of management compensation and the question of licensing procedures.

We have worked on this for a considerable time—I can't recall the date of the first meeting—with meetings at various levels of the ministry. I would like to table for the members of the committee copies of two letters which were sent last week to all private operators in the province, both of which arose out of decisions arrived at by cabinet last Wednesday on a submission which had been prepared over the last number of months, based on all of these discussions.

The first letter deals with the question of management compensation, sets out the ranges according to call volumes in the services. I will table that now if I may. The second has to do with the question of ambulance licensing procedures. It's at the back, so members will have both. Undoubtedly there still are some related and outstanding issues but I think these two letters and decisions taken by the cabinet go a long way to resolving the outstanding issues with the private operators.

You may recall, Mr. Chairman, in the House on Friday you asked me a supplementary question to a question originally posed by the member for Beaches-Woodbine (Ms. Bryden) and that was whether—I'm para-

phrasing now—it was the intention of the government eventually to fade out, replace or get rid of private operators in the ambulance system. You will recall my answer at that time was, “Absolutely not.” That is the position of the ministry which I think you will see is amply supported by these letters.

Mr. Chairman: Thank you Mr. Minister.

Mr. Millroy, would you like to introduce your delegation? Do you have an opening statement or comments you would like to make?

Mr. Millroy: I do, Mr. Chairman. We much appreciate the opportunity of presenting these concerns to you and we appreciate the invitation to be here this afternoon and to put them before this committee. Inasmuch as the ministry has issued some new information, referred to by Mr. Timbrell, as recently as last Thursday I believe, we have not had the opportunity to put this together in the form of a brief. We will be doing so shortly and will submit it to the committee for its perusal.

We do have some specific concerns and to address those I would like to introduce the gentleman on my right, Mr. Malcolm Lewis from Bradford, Ontario, who is the president of the Ontario Ambulance Operators Association.

Mr. Chairman: Is that Mr. Robinson on the left?

Mr. Millroy: I beg your pardon, that is Mr. Don Robinson of our legal consulting firm on retainer to the association and, on my extreme right, Mr. Larry Hollinger, of Guelph, who will address the budgetary matter.

Mr. Chairman: Mr. Lewis? Mr. Robinson?

Mr. Robinson: May I respond to certain of the minister's comments for purposes of clarification? As he indicated to the committee, certain of the ambulance operators have had documentation seized, under warrants of search and seizure—and, I suppose, quite legitimately—but I should clarify that they have not been charged. I didn't quite hear what the minister said, but those people have not been charged.

However, in view of the time lapse there is some concern that they are tainted because everybody knows—the general communities from which they come—that the Ontario Provincial Police have come over. There is concern in that area and I want to bring that to the committee's attention. What we seek is that, for whatever reasons, the Ministry of the Attorney General act fairly expeditiously on those matters.

The second point I want to raise is that the association is not here today to deal with those matters, or to plead its case. As the minister appropriately said, it is sub judice and we are not going to be discussing that here today.

Hon. Mr. Timbrell: Just to respond briefly, I do not believe I at any point used the word “charged.” I referred to investigations which, as members of the committee and the House will know, arose out of audits done by ministry staff which were then turned over to the police and the Attorney General's people. The ministry was commended by the provincial auditor and the Attorney General for taking that course.

I quite agree that the sooner the police and the Attorney General's people can get on with it the better, but the question of the warrants is under appeal to the Court of Appeal. I do not know at this point if the date has even been set.

Mr. Robinson: I am not certain at all in that connection. As you are aware, with at least one of the individuals involved the documents were seized some 30 months ago and that is of some concern to that operator, but I do not wish to raise this or go any further with it. I understand what the minister is saying.

Mr. Lewis: We appreciate the invitation to be here today. We will try to keep this as brief as possible. I would like some guidance from you as to what areas you would like to hear about from us.

Would you like us to tell you our whole story or is it restricted to any particular area?

Mr. Conway: I had expressed particular interest in your being here. I for one would be delighted to hear as much of the whole story as time permits.

Mr. Chairman: Mr. Lewis, just to respond to your inquiry, that is really up to you. We have an allocation of two hours. The members will undoubtedly have questions and we want to leave adequate time for that. If you could give us a capsule comment of 15 minutes or so, that would be appreciated.

Mr. Lewis: Fine. What I will do is give you a brief history of our association and the activities and turmoil that we have faced and experienced over the last 12 years.

The Ontario Ambulance Operators Association was formed in 1960 as a result, as Mr. Timbrell mentioned, of the lack of co-ordination and different qualities of service throughout the province. We, as operators, were concerned about the welfare of the patients we were treating. The association was formed

in 1960. We received a charter in 1963 and from then until 1966 we pounded on the doors at Queen's Park for some assistance as far as licensing was concerned, to arrive at a standard training mechanism and so forth.

In 1966 the ministry decided to become involved in ambulance services and began funding 50 per cent to a local municipality which provided a subsidy for local service. It also prepared an act and some regulations at that time, which we followed.

In 1968 the ministry decided it would take over complete responsibility for ambulance service, funded by the Ontario Hospital Services Commission, and at the same time established the policy that the provincial government was going to buy out all the private operators in Toronto.

As private operators, we objected at that time. However, the government approached individual operators and began the buy-out procedure which lasted for about five or six years. The operators seemed to be completely happy with the remuneration they were receiving for their businesses. Consequently, no complaints arrived at the association level.

In 1969 the ministry established a basic wage and a service bonus for the owner-operators. I have here a brief package of things that I would like to put on record, if I may. Could you pass these around?

Mr. Chairman: The clerk will handle this, Mr. Lewis.

3:50 p.m.

Mr. Lewis: While they are being passed out, I will continue.

The first page of the package you are receiving is a letter from the Ontario Hospital Services Commission dated June 10, 1969, setting out a basic wage for an owner-operator plus a management compensation—in other words some type of profit incentive.

This is the basic concept on which many operators in the province are still operating today. In 1975, the basic amount of the wage package was changed from \$10,000 to \$11,000. That is the last time there was any change on a province-wide basis as far as total management compensation is concerned for those operators who did not go on the global system. I will refer to the global system in a few minutes.

In 1970 the association entered negotiations with the Ministry of Health to arrive at an agreement or a formula for the purchase of ambulance operations in the province. We got confirmation of that agreement from Mr. Tickell, who was the legal counsel for the Ontario Hospital Services Commission. We replied accepting that basic contract as

a guideline to work from at the time the private operators were bought out.

In 1973, the provincial government decided that concept was either too expensive or they did not wish to continue with it. They discontinued buying services with the theory that they wished to reprivatize. Along with that reprivatization came the concept of the global budget.

With the global budget concept, as it was introduced to the association and to our members, a bottom-line figure was arrived at. The concept was to provide a service to the community. Any dollars that could be saved would be profit, but the operator took any money over-budget out of his own pocket. That funding mechanism continued for 17 operators in the province until 1979.

Mr. Conway: Excuse me, Mr. Lewis. Would you take that back one paragraph? I was a little distracted. I would like to be sure I understood that last point.

Mr. Lewis: On global budgets?

Mr. Conway: Yes.

Mr. Lewis: The concept that was explained to us—we have it in writing in a number of different letters over a period of about five years—was that the global budget was a bottom-line figure provided to the operator. The prime prerequisite for that service was his average response time for his calls. The magic figure was 12 minutes. As long as the operator kept under 12 minutes he was safe. The money he could save in that budget was profit. However, if he went over-budget, he was expected to take that money from his own pocket.

Does that answer your question?

Mr. Conway: Clear enough.

Mr. Lewis: In 1975, the owners' wages were re-established at \$11,000 as a base figure and that would replace the \$5,000 on the first page of the letter I just gave you.

In 1979 the global budgets were discontinued. All operators were put back on a line-by-line budget. However, those 17 operators who were on a global budget were refused the service bonus they had received prior to the global budget. The letter you have spells out the details of the management incentive program. There were still 42 operators on that program. The 17 operators who were removed from the global budget were not placed back on the original plan. They were just on a straight line-by-line budget. However, 42 operators are still on the incentive program.

Mr. Conway: Are these all private operators?

Mr. Lewis: Yes.

Mr. Riddell: Why would some operators be put on global budget and the others left?

Mr. Lewis: That is a good question.

Mr. Riddell: I am not going to get the answer to that.

Mr. Lewis: Not from us. We have asked the same question.

In 1979 the ministry started a takeover of the dispatch functions, with no remuneration. The provincial government, or the ambulance services branch, have established a policy that the ministry are now going to take over and man the dispatch centres in Ontario.

As an association, we do not object to the concept of central dispatch. What we object to is the method by which they are taking it over. They are not giving any consideration to the fact that the dispatch function is a vital part of our business. When we lose that dispatch function, we lose all control of our business.

When the majority of owner-operators in the province purchased their businesses, this dispatch function was included in those businesses. If the ministry would come to us and say: "We want to take over the dispatch function. We want to negotiate for the purchase of that portion of your business," we have no objection to negotiation. There is a lot of merit to the central dispatch concept and we do not knock it. The portion we knock is the method by which it is being taken over.

Mr. Riddell: You support central dispatch, as I understand it.

Mr. Lewis: Yes.

Mr. Riddell: I don't think you have all the ambulance operators with you on that.

Mr. Lewis: I believe the majority of the operators feel the same way. There could be the odd one who does not agree with central dispatch. There are some areas about which we have felt strongly. When incorporating a new dispatch service they have not been coming to the operators to find out the implications and the problems that might arise in a particular area. They just go ahead and plan it, put it in and come and take over the dispatch function. It is creating problems with our membership.

Mr. Riddell: You have probably heard of Hoffman's ambulance service?

Mr. Lewis: Yes.

Mr. Riddell: I do not think you would get too much support on central dispatch from that concern.

Mr. Lewis: No, that is one of the objectors.

Mr. Riddell: Maybe I will have more to say about that as time goes on.

Mr. Lewis: Generally it is the smaller services that are objecting to the central dispatch function.

In 1979 the ministry, or the ambulance services branch, established a new policy that it would not approve the sale of any private ambulance service.

In 1980 the ministry took over an ambulance service upon the death of one of its operators.

In 1980 the ministry now approved the sale of private ambulance services.

In 1980 the ministry has changed its policy regarding the takeover of a private business upon the death of an operator and the ministry has indicated it will return the business to that family.

The reason I have gone through this—

Mr. Riddell: Let's make this clear now.

Mr. Lewis: Yes.

Mr. Riddell: Will all services now be able to be sold?

Mr. Lewis: All private ambulance services in the province, as I understand it, will be allowed to be sold.

Mr. Riddell: Can owner-operators now pass their businesses down to their sons?

Mr. Lewis: As I understand it.

Mr. Turner: Or daughters.

Mr. Riddell: Or daughters, right.

Mr. Lewis: One problem we have had is that since 1968 we have been forced into a defensive position. Consequently, we have expended large sums of money defending a position which, I feel, is rightfully ours. We have paid for businesses, we have operated businesses and the ministry tries to take them over. At this time the board of directors and the Ontario Ambulance Operators Association have expended in the neighbourhood of \$50,000 in legal fees and travel expenses to defend our position. Where does this money come from?

At the same time as it changed the policies in 1979, the ministry all of a sudden said, "Gentlemen, we are not going to approve any more legal expenses for you without the prior approval of the regional coordinators, who are now regional managers." 4 p.m.

Similarly, they are going to restrict the total expenses, travel expenses and so on, of all operators to a maximum of \$300. Gentlemen we have members of our association who are administering million dollar budgets and who have five satellite

bases who are restricted to a \$300 total for travel expenses, car allowance, what have you. There is absolutely no feasible way to manage a business with \$300.

The ambulance services branch operates 10 services itself. It provides the majority of its managers with vehicles. Because we are private operators, we have no access.

Some of our operators put radios in their cars to assist them in the management of their businesses. They receive letters from the ambulance services branch demanding they be removed from their cars. To me there is no reasonable explanation why members of our association are forced into that position.

If I may say so, everything is not negative. The service in Ontario, I agree, is probably the best ambulance service in Canada—in the world, you could say. We have come a long way in 10 years, and we are the first to admit it, but the 72 private operators who are left, are caught in the midst of changing systems. They are caught in an area where they are not encouraged to participate in the development and upgrading of ambulance service. They find themselves in a position where it is necessary to prove their existence all the time. This is a bad position to be in.

I would like quickly to go over the points that are unresolved at the present time. We are meeting with the ministry on a regular basis and there have been indications that many of these problems will be resolved. I bring them up at this point and if anyone has questions he may ask them.

One unresolved problem is the funding of the expenses of some \$50,000 which we have incurred during the past year. We increased our dues, placing a special levy on our members this year to cover the expenses we were incurring and the ministry has disallowed them as a budgetable item. Travel expenses, which I referred to, are a \$300 maximum. This is ludicrous and is just not workable.

There is the management compensation plan that Mr. Timbrell referred to. There are some serious problem areas within that package which I will refer to in a couple of minutes.

There is the central dispatch takeover by the ministry. Here again we have no remuneration and we run up against a block wall when we try to discuss that.

We have other situations. There is Dashwood Ambulance Service, which was referred to a little earlier. They entered into a contract with the ministry in 1968 or 1969. In that contract there was reference to a service

bonus. They have never received a nickel of service bonus from that contract. The contract was in existence, as I understand it, until about one year ago when the ministry wrote and requested its cancellation.

In the Hawkesbury area the family of one of our members operated an ambulance service for some 50 years. The ministry saw fit to license a second service in 1969 or 1970. Within two years the ministry was back to tell these two gentlemen it only needed one service in that area and it expected the two services to resolve the problem of eliminating one of them.

The service that had been in that area for some 50 years purchased the other business for some \$40,000. To this date, there has been no allowance for carrying charges or repayment of any capital whatsoever of that \$40,000. This was a problem that was created by the ministry. The ministry expected the two services to resolve the problem. When the problem was resolved there was no recognition of it.

There is another area in the province where the ministry has licensed a second service in a small community and there are many problems which exist in that area that cannot be resolved. As an association, we have recommended the ministry buy out one of the services and let the other service operate it. There is duplication of management, duplication of service and so on. There are other areas such as that.

We then enter the area of global budgets. We have members of our association who purchased services for substantial amounts of money during the global era with the understanding that the profits they could retain from the global budget would be used in paying for the businesses. Subsequent to that, the global budgets were removed and some of these operators are caught in the middle with bank payments to make but no dollars to make them with.

I would like to refer to you to the comparison between the Ontario Ambulance operators and the ambulance services branch proposal where the cabinet approved a funding mechanism. We have made a telephone survey since last Thursday of about 95 per cent of the operators in the province to get their initial response to this proposal. I will say at this time that everyone above 3,500 calls, with the exception of one person, is happy or is satisfied with the proposal.

Mr. Conway: Just for the purpose of understanding you here, taking everybody above on that chart. Do you mean literally above?

Mr. Lewis: Oh, I am sorry, below.

Mr. Conway: Below. All right.

Mr. Lewis: The call, volume-wise, is below. Virtually everyone in the first category is happy. The problem is the in-between area.

Mr. Conway: I want to be clear here. With this new proposal, is everybody between zero and 3,500 calls happy or unhappy?

Mr. Lewis: Unhappy, with the exception of zero to 250.

Mr. Conway: All right. The smaller are unhappy, but by and large the heavy end is happy.

Mr. Lewis: That is right. If you look at the far righthand column, I have prepared the remuneration for the owner-manager in 1969 according to the letter which is on top of your pile. You cannot totally compare 1975 and 1979 with the other three columns. Actually the 1979, 1975 and 1969 columns cannot really be compared with the other two columns because the 1979, 1975 and 1969 only relate to the owner-operator's salary and incentive bonus. The other two columns include secretarial help, bookkeeping help and extra management people. It fairly well reflects the different categories.

For example, if you take 750 to 1,000 calls, in 1969 the owner-manager was receiving approximately \$8,000 as his salary. That includes his salary and service bonus. In 1975 when the schedule was revised, that owner-operator was receiving \$14,000. With the increases over the past years, in 1979 he was receiving \$18,000.

That same individual, if you were to look on the previous page, is being cut to approximately \$9,000. That is taking that individual back to the time of the 1969 salary within \$1,000. That is the area in which we are having difficulty.

4:10 p.m.

Mr. Conway: Again, just so I understand it, because I am not sure I do, that 1979 figure does not represent a service bonus.

Mr. Lewis: Yes, it does.

Mr. Conway: In that case we are comparing apples and apples and apples.

Mr. Lewis: Yes, that is correct.

Mr. Conway: Is that the ministry's understanding as well? Do you agree that in each of these three categories, from your understanding of the information put before us, we are comparing roughly the same things?

Hon. Mr. Timbrell: Yes.

Mr. Conway: All right, fair enough. That's good.

Hon. Mr. Timbrell: You might also want to get into the question of how many vehicles each of those levels represents.

Mr. Lewis: Yes. Up to 1,500 calls per year is one vehicle, 1,500 to 2,500 or 3,000 is two vehicles. It varies from service to service, but I would say two vehicles.

Mr. Conway: Up to 3,000?

Mr. Lewis: Is that reasonable? For 3,500 to some 10,000, you are probably looking at three to four vehicles; for 10,000 to 15,000, four to five vehicles; for 15,000 to 20,000, five or six vehicles depending on the area of service.

Mr. Kennedy: Is there a problem about grey areas? The number where you would need between one and two vehicles—too many for one, not enough for, say, two?

Mr. Lewis: Yes, there are such areas. There are areas that are on the borderline; it is a cloudy area. Some areas would have two vehicles but only one staffed on a full-time basis and one would be staffed on a call-back basis. It varies from community to community.

Basically that is what I have to say. I would like to, at this time, turn it over to Larry Hollinger who has some concerns with regard to the accounting end of it. I would like Larry to take it from here.

Mr. Hollinger: On April 14, 1980, we received a letter on financial policies and procedures relating to ambulance services. On page four of that letter there are some 15 nonallowable costs. Some we agree with and some we do not agree with. We think some of them are inconsistent with corporate accounting and, with your permission—it will not take me too long—I would like to go over the 15 commandments, as I shall call them.

1. Personal expenses of operator or staff. We question that because occasionally the operator takes out an official from the ministry or the bank manager and we feel that should be a legitimate expense.

If anybody wants to stop me, please go ahead. I will go through these in a hurry.

2. All expenditures for unapproved vehicles. Some owners of a vehicle use it quite a bit in the ambulance service. We feel expenses incurred for using it in the ambulance service for administrative work and everything should be included.

Mr. Chairman: Including a car with radio?

Mr. Hollinger: We would say so, yes.

3. Membership fees in local service clubs

and similar business promotions. We agree it should not be Rotary or Kiwanis or any other organization like that, but we should be able to join the chamber of commerce or make a donation to the police safety week, of which the ambulance services in each community are part and parcel.

4. Gifts, staff entertainment, socials, floral tributes and donations. There are some small ambulance services that do not have a union and they do not pay the top dollar. At Christmas time they give presents to their staffs or to the children of their staffs. We feel that, within reason, that should be allowed.

With floral tributes, recently we had a member who died, Mr. Charles Brignell, of Port Perry, of whom you are all aware. Most of us sent floral tributes to him. That will be disallowed according to these nonallowable costs. We feel some things like that should be allowed.

5. Corporate and personal income tax with a corporation. The corporate tax should be allowed but the personal income tax, we agree, should not be allowed.

6. Proportion of salaries or fringe benefits of staff not directly related to the ambulance service. We do not know why that is put in there because everyone who is working for an ambulance service is part of the ambulance service. We do not quite understand why it is in there. If somebody could clarify that we would be pleased.

7. Clothing not identifiable as a uniform. We agree they should not have to pay for our suits and our shirts and everything else. As long as they pay for the uniforms, we realize that is a legitimate nonallowable cost.

8. Fringe benefit expenses such as pension plans which provide for inordinate or excessive benefits. What is an excessive benefit, I ask you?

9. Personal or corporate legal accounting on tax return preparation fees. The personal, we agree, should not be an allowable expense. The corporate legal accounting on tax return preparation fees should be an allowable expense.

10. Personal telephone calls and the cost of telephones installed in personal residence. I understand that some operators have an extension in their homes and it is quite legitimate. They need it. It is quite important to the running of their businesses. We feel that should be allowed.

11. Goodwill and its amortization. In prior years, the ministry paid for goodwill in earlier agreed terms of purchase. We

have a case in point here in Thames Valley Ambulance Limited. We would like to discuss that with you.

12. The rental, depreciation and all operating costs of food and beverage machines. We agree that should belong to the staff. If they want a coffee machine, they should have to pay for it. We agree with that one.

13. The portion of any and all expenses which benefit a person or business not directly related to the operation of the ambulance service. We do not understand "not directly related," if you would like to clarify that for us. If we are in the ambulance service, we are in the ambulance service.

14. Expenses which are not supported by invoices, lump sum travel, entertainment expenses, or vehicle allowances. We discussed vehicle allowances and travel previously. Mr. Lewis alluded to the \$300 in administrative travel which he thought was not enough.

15. Entertainment expenses. As you realize, all corporations have a certain amount of entertainment expenses which they are allowed to write off on their income tax. We are not allowed to do this, according to this letter of nonallowable costs. I understand our legal counsel, Mr. Robinson, has discussed these points with the Ministry of Industry and Tourism and that to date he has not received a reply. Is that right, Mr. Robinson?

Mr. Robinson: Yes.

Mr. Hollinger: That is all I have to say, unless somebody wishes to ask a question on these 15 points.

Mr. Chairman: We have to leave here to vote at 4:30 p.m. That is the latest word from the government whip.

Mr. Conway: I really appreciate the opportunity to have these people here. I might indicate that this will tie in with my first question. I was one of the people who was principally involved in arranging for this opportunity today.

Mr. Lewis, I listened with much interest to what you had to say, particularly the chronology with respect to the private ambulance operations in the past 20 years.

The minister indicated that when all this started 20 years ago, there was a certain disorganization in the private ambulance sector. I think I paraphrase him with reasonable accuracy. How long have you been involved?

Mr. Lewis: Since 1962.

Mr. Conway: You were in on the ground floor, so to speak.

Mr. Lewis: That is right.

4:20 p.m.

Mr. Conway: One gets the impression the government has, in respect to your sector, the private ambulance sector, been up and down like Mickey Hennessy's hand in question period. They have gone from one side of the spectrum to the other, and back and forth a number of times. Correct me if I am wrong, but when I spoke with you and the delegation of your organization about six months ago, I got the distinct impression that you, as a group of private operators, felt very much under siege.

Mr. Lewis: Yes.

Mr. Conway: I get the distinct impression that within the last 10 days things have changed remarkably with respect to the treatment you are now receiving from the Ministry of Health. Is that a fair assessment?

Mr. Lewis: Yes, I would say probably within the past month.

Mr. Conway: The past month. You feel much more sunshine now than you did, let us say, six or eight months ago.

Mr. Lewis: Absolutely.

Mr. Conway: I am delighted to hear you say that, because I had the distinct impression when we were arranging for this meeting many weeks ago that your situation was much more difficult than it appears to be today. I just wanted to comment, for the record, on what appears to be a 170 degree, if not a 180 degree, change of position with respect to the private operators.

The chronology clearly indicates that we have turned from a position of the government taking over all operations, as you indicated through the 1968-73 period. Do you know why in 1973 that changed as it did? Was any reason ever given?

Mr. Lewis: I believe there was a general policy within government, not just the ambulance sector, that the whole government was entering a privatization era. We just happened to be in the middle of it.

Mr. Conway: Did you sense that government policy tended to change with individual ministers? One member of your association once indicated to me that under Mr. Miller, for example, this person felt—and I am asking you to comment from the point of view of your association—if I remember his words, the free-enterprise ethic seemed to be much more in the forefront of the government approach than it was earlier or, more importantly, under Mr. Miller's successor.

Mr. Lewis: Absolutely.

Mr. Conway: These policies have tended to reflect the personalities of the ministers.

Mr. Lewis: That is correct, as I understand it.

Mr. Conway: There is one thing that has always puzzled me, Mr. Hollinger. You mentioned one of the accounting problems was goodwill and its amortization. How did that work previously? I am quite fascinated—

Mr. Hollinger: Mr. Conway, we have a member of our organization here. If the chairman will allow it, he could explain that because he was involved..

Mr. Conway: I would like to have that explained if I could.

Mr. Hollinger: Mr. MacDonald, we were discussing goodwill and amortization. Could you explain to Mr. Conway what happened when you purchased from Mr. Beard?

Mr. Chairman: Mr. MacDonald, would you move up to the mike for the purposes of Hansard.

Mr. Conway: I understand there was a formula that took this into account. Am I correct in that?

Mr. R. MacDonald: Yes, sir.

Mr. Conway: Could you explain to me how that worked as you understood it?

Mr. R. MacDonald: To the best of my knowledge there was a formula that allowed, I think, for two and a half times the owner-operator's salary and bonus for the last three years which would be the purchase price, if the Ministry of Health or the Ontario Hospital Services Commission was going to purchase the business.

Mr. Conway: Was that also in place if private operator A sought to sell that operation to private operator B? Was that allowed or was that goodwill formula—

Mr. R. MacDonald: To the best of my knowledge that is the basic formula that was used in purchasing all ambulance services for a period of several years..

Hon. Mr. Timbrell: By the Ontario Hospital Services Commission.

Mr. Conway: I am interested in a private sale, which I presume would have been allowed back then. If I wanted to sell my operation to you, could I do so back in the 1960s?

Mr. R. MacDonald: Provided you met the criteria.

Mr. Conway: Right. I just want to know whether, for example, that formula was something you would bargain for in a private sale.

Mr. Lewis: If I may reply to that, basically the figure varied somewhere between \$20,000 and \$25,000 per vehicle that was licensed by the commission at that time. That was the range in which the private sector looked for buy-outs and that was related to the total remuneration they were receiving under either the global system or under the service bonus system.

Mr. Conway: You are saying there were really two different formulae for sale in respect of the goodwill, what you were really selling, one to the OHSC and one to a private buyer.

Mr. Lewis: Yes. Once the OHSC indicated it would not be buying any more businesses and it was thrown back to the free market, it was whatever the individual operator who was going on the global system could arrange with the ministry, and the budget under which he could operate. If he felt he could swing a debt of \$150,000 or \$200,000 under that system, that is how he purchased the business. That carried on from the time they purchased until 1979.

Mr. Conway: All right. That is all I wanted to know on that particular point.

Perhaps a final comment. In terms of going back now to a sale procedure, are you negotiating with the government—if this is a fair question—something of the same kind of formula?

Mr. Lewis: No, I do not think the government would be involved in the purchase price, just whatever is agreed between the two operators.

Mr. Conway: That is right. You would again let the market determine the value—

Mr. Lewis: Absolutely.

Mr. Conway: On that point, I would like to ask someone from the ministry what they see in terms of sale between one private operator and another as sale value? What do you see goodwill representing, if anything?

Dr. Dyer: I think you have to ask your question now as, "What is the individual purchasing?"

Mr. Conway: Fair enough.

Dr. Dyer: He is not purchasing material things. Since the ambulances and radios and equipment are all stock, he is purchasing earning power, I suppose, or potential earning power. In many cases, he is also purchasing an exclusive contract with the government to operate in a sense a noncompetitive business for an area. Those are the considerations he is purchasing and that, I expect, would matter as to what he perceived as his earning power.

The management compensation plan we are looking at would indicate what that potential would be because we have said that the management compensation plan would, in a sense, be a global component, although it sets out and is structured to reflect certain hours. Those hours are a way of estimating it and not necessarily required. If the operator wishes to do the bookkeeping and secretarial work himself, then the full management compensation plan could be his earnings.

In addition to that, he could earn a driver-attendant salary because he could book himself in. He has the full potential of that kind of earning power. Since the new policy states the operator has the ability to pass it on to his heirs, in a sense, or to pass it on to someone who is qualified, that is an ongoing business. That is what he would be purchasing.

Mr. Chairman: Perhaps the committee could break at this point. We do have a vote and we will be right back.

The committee recessed at 4:30 p.m. for a vote in the House and resumed at 5:17 p.m.

On resumption:

Mr. Chairman: I call the committee to order. The minister, due to a previous engagement, has to leave at 5:30 p.m. I hope the committee would concur with that.

Mr. Conway: I am going to ask one last question and let other members have a go. If there is any time left, I will come back to some others. I will direct this to the minister.

We were talking about a new policy before we left to vote. I think those were the words the assistant deputy minister used in his response.

Why don't you tell me something about the genesis of this new policy, since it seems to be clear that in recent days there has been a change of heart in some substantial matters with respect to the private ambulance operators? What was the nature of the new policy? What explains it? What do you see it as meaning?

Hon. Mr. Timbrell: I see it as cleaning up some anomalies that had developed over the years. Essentially it goes back to a series of audits when a number of issues that required some resolution were identified and were brought to my attention. Going back to August of last year there have been a number of discussions with the Ontario Ambulance Operators Association on these matters that are outlined in the two letters I tabled

with you. I hope this will begin to put to one side, once and for all, the outstanding issues between the ministry and the private sector ambulance services and individuals. That is essentially it.

Mr. Conway: How do you respond to two points? I understand you took a very firm line with these people. I understand that last October 3 you were in a very spirited conversation in which you indicated to the private operators that if they did not particularly like the direction of the dictum then they could always sue, which I gather they have promptly decided to do. Now, of course, there seems to be a somewhat different attitude on your behalf.

Hon. Mr. Timbrell: No, I pointed out to them that were we not able to resolve some of the issues; that was open and would still be open to any operator who felt he had a just cause.

Mr. Conway: Mr. Hollinger seems like a reasonable man. He has made, I think, a very reasonable set of comments on the question of the accounting practice as it relates to his operations. Perhaps he might help me out here at some point.

In the list of items that are not covered, there seemed to be many that really are remarkable from the point of view of their nonallowance. What kind of policy it is? Maybe you can help me here, Mr. Hollinger, by rhyming off. You do not allow them any—
5:20 p.m.

Hon. Mr. Timbrell: I think perhaps it would be best if I were to ask the executive director to deal with some of those issues.

Mr. Conway: It strikes me as being very peculiar, knowing the way private sector operations function in respect of these sorts of items and, with all due respect, the way most government operations function. This shopping list strikes me as being one peculiar to this group in terms of its nonallowances.

How do you justify some of the items that were just cited by Mr. Hollinger in his earlier remarks? How do you justify not allowing for more generous coverage in some of those cases?

Hon. Mr. Timbrell: This is Mr. Teasdale, the general manager of the direct services division.

Mr. Teasdale: Mr. Conway, the purpose of that list of items is to identify items that will not be allowable because they are not directly related to the operation of an ambulance service. I would be pleased to de-

bate the individual items with you but I think there is another forum, with respect, where that might happen.

There is an ambulance liaison committee where Mr. Lewis and some of his executive, the Metro department of ambulance service, and my staff and I are present. It would seem to me that those detailed items might be handled in that forum. They have not yet been there. This is the first time I have heard that complaint.

Mr. Conway: I do not wish to pre-empt whatever other forums might be more appropriate. What you are saying, I presume, is that that shopping list is something you are prepared to look at and to negotiate upon.

Mr. Teasdale: But in the context—I should be very clear on that—that the only allowable expense would be that directly related to ambulance service.

Mr. Conway: Is it the case—let's use the travel allowance one—

Hon. Mr. Timbrell: You would agree with the principle of it being directly related to the division of ambulance services?

Mr. Conway: Oh, sure. I am quite prepared to consider that an opportunity for discussion. But I want to—

Hon. Mr. Timbrell: You don't agree with that principle?

Mr. Conway: You've got a goal. I don't know whether—

Hon. Mr. Timbrell: No. I'm just—

Mr. Conway: Mr. Chairman, I believe I have the chair?

Hon. Mr. Timbrell: The chair?

Mr. Conway: The floor, rather. You have the chair.

Hon. Mr. Timbrell: You can't have everything.

Mr. Conway: I just want to take the one example of travel expenses. Is it the case that these private operators are allowed no more than \$300 maximum?

Mr. Teasdale: It is my understanding that this is a guideline, but if there are extraordinary travel expenses, and if there is prior approval, that will be allowed. In addition to that, each time these gentlemen come to meet in that ambulance liaison committee that I mentioned, we pay their travel expenses.

Mr. Conway: Is it your understanding, Mr. Lewis, that this \$300 is in fact a guideline? Have you been led to believe that?

Mr. Lewis: I would like to make a couple of comments if I may. The liaison committee was established as a result of a brief we presented to Mr. Timbrell a couple of years ago. The committee met three or four times and then it went by the wayside. We had to create a fair bit of commotion and have another meeting with Mr. Timbrell before the liaison committee really met again.

We had a number of meetings last fall dealing primarily with the problems we referred to today and some of the issues that have been resolved. But we have not had a liaison committee meeting now for some four or five months. There are many ongoing problems that are not dealt with on a month-to-month basis. This committee is supposed to meet monthly.

Mr. Conway: Have you been asking for a month-to-month meeting? Is that the position of your association?

Mr. Lewis: The last meeting was cancelled by the staff for one reason or another and there has not been another meeting called.

Mr. Conway: What is the position of the ministry on the regularity of this particular forum to which, supposedly, all these matters of routine administration are referred?

Dr. Dyer: Mr. Chairman, with respect, we have been meeting on the other issues they raised as their paramount issues with the senior staff. We have had at least four or five meetings at not more than monthly intervals on the paramount issues they raised as needing resolution; that is, the matter of compensation, sale of licences, central dispatching, those kinds of things.

Mr. Lewis: That is not the liaison committee.

Dr. Dyer: It is not the liaison committee, but we have had regular meetings during that period of time. Our understanding was that they wanted these issues resolved because they were the major issues, which we hadn't made a concentrated push to do.

Mr. Conway: I don't want to get too far off on that. I want to come back. Mr. Hollinger, it has been stated that the principle should be and must be established that only those things which have a direct relationship to the operation of an ambulance function should be recoverable. I think, in a general sense, most of us can understand that and support that. I thought from your presentation that was your view as well, that you were indicating that on a number of those things you were not expecting coverage.

Would you give us a couple of items on that list that, from your point of view, are not presently covered, but in the normal course of an ambulance operation would be directly related? You have a better appreciation of the function than I.

Mr. Hollinger: I would say number four of the 15 commandments that I quoted: "gifts, staff entertainment, socials, floral tributes and donations." Every corporate entity has an opportunity to write some of that stuff off within reason, but we are not supposed to here, eh?

Hon. Mr. Timbrell: Let me just point out to you that in government we have had a very clear order on government operations for years. We are not allowed to spend five cents of government money for retirements and so forth, as you put it.

Mr. Conway: Take another one off the list.

Hon. Mr. Timbrell: Hospitals are not allowed to do that either.

Mr. Hollinger: I realize that. But are you dealing with unions, as we are?

Hon. Mr. Timbrell: I don't intend to comment on the Ontario Public Service Employees Union, but, yes, I think we are dealing with a significant union.

Mr. Hollinger: Then we have to put up with some of this nonsense, dealing with OPSEU. I happen to be the negotiator for the ambulance services.

Hon. Mr. Timbrell: I just want to point out that it is not an allowable expense for hospitals. We in government are not allowed to spend any money. If somebody retires in whatever branch and there is a party, then you have to raise the money. I get requests, and I send my \$10 or \$20 as a minister if I am going to a retirement function for whomever.

Mr. Conway: Take another one off the list.

Mr. Chairman: Mr. Lewis, did you want to make a comment on that point?

Mr. Lewis: Mr. Chairman, for some 15 or 16 years in my own particular case, and I don't like to use particular cases, we have had a staff that is nonunionized. We gave them a Christmas party every year, to the tune of \$500 or \$600, and a summer party. That is a total cost. That was cut off last year.

The first thing that happens is you start talking union; there are more demands and so on. My interpretation is that spending a few hundred dollars to entertain the staff creates better relations between staff and

employer and a happier situation. In the long run it is going to save money.

Mr. Hollinger: In response to Mr. Conway's question, there is another one here that I would like to bring out; membership fees in local service clubs. I agreed that we should not be allowed to buy a membership in the Kiwanis club or anything like that, but the chamber of commerce and the police safety week should be allowable expenses.

Mr. Conway: On the point about this liaison, I want to be clear in my mind. The ministry seems to leave the impression that there is a regular channel through which all of these things can be funnelled and sorted out. That is not the view of your association. Your association seems to be indicating that there is no regular meeting to discuss these things, or that when there has been, oftentimes those meetings have been cancelled.

Mr. Lewis: That's right.

Mr. Conway: You frown, Dr. Dyer; perhaps there is some reason. Is it the case that you sometimes cancel these meetings? If so, why would you do that?

Dr. Dyer: No, the meetings have not been cancelled unless there is agreement with the group to move the meeting to another date. I do not think that is the point I tried to make.

We have not been carrying out the regular liaison ambulance committee meetings for the past four months because we have been meeting regularly with the Ontario Ambulance Operators Association executive group in resolving some paramount issues they put on the table, saying, "These are our priorities." As you know, they required fairly detailed investigation and research.

Hon. Mr. Timbrell: Did we not cover the expenses for those meetings?

Dr. Dyer: Yes, we covered their expenses for those meetings.

Mr. Conway: What is your view, then, of the following, which strikes me as an interesting situation? In the course of a good discussion the minister might say on behalf of the government, "Well, if you don't like our position and you think we're treating you unfairly, sue us." So they proceed to do just that, incur X thousands of dollars in expenses, and then it is quickly indicated to them that there will be no allowance for recovery of any of those expenses.

I understand you people to be saying that you have about a \$40,000 or \$50,000 legal bill as the result of court action—

Mr. Lewis: No, we have travel expenses for our board of directors and legal bills to the tune of \$50,000.

Mr. Conway: Is it your understanding, in any discussion, that there will be a significant recovery allowed?

Mr. Lewis: Not at this time.

Mr. Conway: What is the response of the ministry going to be? By the way, this process seems to have led to quite a positive conclusion in some of the critical areas. What is the attitude of the ministry going to be towards the uptake of some of their advice?

5:30 p.m.

Dr. Dyer: We cover normal legal expenses with reference to the operation of their ambulance service. We have not been covering legal expenses with reference to the association on whatever they have been pursuing.

Mr. Conway: I'll pass, Mr. Chairman.

Mr. Turner: Mr. Chairman, I would just like to dwell on one point if I may. There seems to be a lot of discussion about meetings and lack of meetings, and I would like Mr. Lewis to agree or disagree.

Is it not true that we have been holding regular monthly meetings to discuss problems which you have outlined here?

Mr. Lewis: The point I made is this is not the liaison committee. We were dealing with three particular issues.

Mr. Turner: I am not suggesting that. I am just asking you, have we not held regular meetings?

Mr. Lewis: Not the liaison committee.

Mr. Turner: I am not asking that. Have we not held regular meetings?

Mr. Lewis: We have held regular meetings with the senior ministry officials to deal with three problems.

Mr. Turner: Do you mind telling me who were at those meetings?

Mr. Lewis: Mr. Campbell, Dr. Dyer and yourself, myself, Rene Berthiaume, and—

Mr. Turner: Is it not fair to say that your meeting with the senior staff is to resolve the very issues you are discussing today?

Mr. Lewis: Partially—

Mr. Turner: I remember very well seeing some of these.

Mr. Lewis: Some of the issues, yes. But some of the minor issues—

Mr. Turner: I'm not talking about the minor issues.

Mr. Lewis: —and some of the day-to-day activity that normally is discussed at the liaison committee meeting have been going by the wayside for four or five months.

Mr. Turner: Can you explain why you and others have been phoning me on a fairly regular basis to keep me aware of some of your problems?

Mr. Lewis: I guess because the liaison committee has not been meeting.

Mr. Turner: And are we not, in fact, discussing some of these problems at the regular meetings?

Mr. Lewis: Yes, some of the problems.

Mr. Turner: So, in actual fact, it is not fair to say that you have been deprived of a hearing or of meetings.

Mr. Lewis: No, I didn't imply that.

Mr. Turner: That was the very distinct impression.

Mr. Lewis: No, I didn't imply that. If I did, I'm sorry. It is strictly the liaison committee meetings to deal with the day-to-day problems.

Mr. Turner: I wasn't talking about that. You are talking about the makeup of a committee; I am talking about pursuing the particular problems which you people are interested in resolving. Is that right?

Mr. Lewis: It's the major problems we have been meeting to resolve.

Mr. Turner: Okay. All I wanted was to clarify that, Mr. Chairman.

Mr. Swart: I had some of the problems of the ambulance operators association brought to me over the last few months. I must say, when I hear the presentation today, I think what has been taking place is preposterous, almost unbelievable.

My own philosophy and that of our party is that there is a real place for public operation; and, of course, the large majority of it is public operation. But, surely, if we are going to have private operators, they must have the right to operate as businessmen. I would like to explore with you, if I could—that is, if the minister is going to be here—the matter of the global budget.

I have not been on this committee or the health committee, and I am not as familiar as other members may be with all of this. But when you put a limit of \$300 on travel, for instance—they may be extraordinary expenditures, but, my gosh, to have no decision-making powers of their own at all seems to me, from what I have heard today and what has been brought to me, that rather

than operators or managers they are mere office boys being told in every little detail what are and what are not legitimate expenditures.

I would like to ask the ministry if there has been any estimate or detailed analysis done of the cost of this kind of supervision. It must be fabulous, considering the time which is spent by the ambulance section of your ministry in looking after every little detail. Their time is involved too in this kind of—I was going to say confrontation, and perhaps it has been that on some occasions, to the tune of \$50,000 to them. I am sure on your side the cost has been even greater than that.

Hon. Mr. Timbrell: Mr. Chairman, I am intrigued by what Mr. Swart refers to as his party's philosophy inasmuch as in the next room, dealing with health centres last week, that party was arguing that with respect to doctors we should be, with transfer payments, getting into line-by-line and—

Mr. Swart: Mr. Chairman, I thought I had the floor.

Hon. Mr. Timbrell: I thought he wanted an answer, Mr. Chairman.

Mr. Swart: I thought I had said very clearly that I think it has to be one way or the other. If you are going to operate it as a public operation it is one thing, but if you are going to operate it under a private enterprise system and then put them in a position where they are just office boys and cannot make any of the decisions on efficiency or anything else—really, not even when they feel they should spend money perhaps to save money—I think you have reached an absurd situation.

All of these costs, as I have already said, must be fabulous—trying to find out whether you could allow for uniforms—

Hon. Mr. Timbrell: Where would you have economies made in Welland?

Mr. Swart: It seems to me that if you can say there is a global budget based obviously on costs of some kind or other, they will make the economy. Surely that is what private enterprise is all about. If you are going to tell them exactly where they have to spend every dollar and that they can't spend it here or there, I don't think you are getting the benefits there may be, out of the private enterprise system. If you say there are benefits there, surely you have to let them operate to some degree as independent operators.

Hon. Mr. Timbrell: I think, Mr. Chairman, it might be helpful if Dr. Dyer were

to explain the budgeting system. For, in fact, the ministry does not sit there and—

Mr. Swart: Because time is running out I would like to have some comment from the association. Although they may think things are too far down the road and cannot be reversed, particularly with your government, I would like to have some comment from the association with regard to the issue of global budget.

Mr. Lewis: If I may answer, the global budget concept was established originally on the basis that you have mentioned. They were cutting the original budgets to save money, but they gave the incentive to the operator to manage the way he saw fit to manage and any money he could make was his profit. Then when we went back to the line-by-line policy we are in a position where the ministry is now dictating every expenditure we make. Consequently the initiative is not there for us to—

Hon. Mr. Timbrell: How many were on global?

Mr. Lewis: Seventeen.

Hon. Mr. Timbrell: Out of?

Mr. Lewis: Seventy-two.

Mr. Swart: Are they all back on line-by-line, or are some still on incentive, or with the recent change are they all on incentive?

Mr. Lewis: They are all on line-by-line but not all on incentive. Forty-two are on incentive, the balance are not.

Mr. Swart: I would like to ask your opinion. First of all, what is your view now on the global budget situation, and would you like to see a return to global?

Mr. Lewis: The global concept, as far as private enterprise is concerned, is a more advantageous system; it gives us the incentive to save dollars. One of the proposals we made was, "Okay, if you don't want us to keep all the dollars, let us have a sharing system by which, if we are able to save \$10,000 or \$20,000, we have a pre-selective formula on which X number of those dollars would be returned to the ministry and X number of dollars would be saved as a profit for the operator."

Hon. Mr. Timbrell: Mr. Chairman, could I ask a question? Is it not true that the whole notion of a management compensation formula came out of discussions with the Ontario Ambulance Operators Association and that you proposed some figures?

Mr. Lewis: If I may, let me set the record straight. We negotiated with the branch for this management compensation that was

presented. But if you read the minutes of the liaison committee meeting you will see that this was to be only a portion of the total package and that there would be an incentive compensation, as well, on top of this.

Hon. Mr. Timbrell: That was the position of the OAOA, that is right. I understand that.

Mr. Lewis: That was the position of the OAOA, yes. That was the way it was passed through the liaison committee, unanimously, with all the ministry staff there at the same time.

Hon. Mr. Timbrell: What I was trying to get at was that the development of the management compensation plan arose out of discussions with the OAOA.

Mr. Lewis: Yes.

Hon. Mr. Timbrell: Of course, the fact is that only 17 services were on global and 55 were already on line-by-line

Mr. Lewis: That is right.

5:40 p.m.

Hon. Mr. Timbrell: I want to put into the record that under the Ambulance Act one of the duties that is incumbent on the ministry is under section 4(1): "It is the duty of the minister and he has power to determine:

. . . "(f) the amounts to be paid by the minister and to pay operators for ambulance services provided and to make retroactive adjustments for underpayment and overpayment for such services according to the cost thereof. . ."

This is the duty incumbent on me and on the ministry; this is why we end up with this kind of a system, where in effect you are separating the cost of the operation on line-by-line and the cost of management. The cost of the operation on line-by-line is subject to audit by the provincial auditor according to the procedures as he understands them under the new Audit Act. The cost of management is not subject to audit; that is entirely the money of the operator.

Mr. Swart: Let me get back to the issue raised by the minister with regard to the global budget and to your agreement—in fact, your proposal—with regard to management fees. I presume that was made on the understanding that you were going to get the line-by-line budgeting; you were trying to improve that. It was not really the alternative to the global budget; you did not prefer that to the alternative of a global budget. Am I right or wrong in that assumption?

Mr. Lewis: Ideally, I think, the global budget would be more beneficial. Realizing that could not be a reality with the ministry, we tried to negotiate some type of incentive program into the management compensation package that would give us some reason to be more efficient, to find areas where we could reduce the cost of ambulance service and still provide good service. This package that was presented by the OAOA and the ambulance services branch, the portion that was agreed upon, was only the wages portion. There was never an agreement on the incentive portion of it.

Mr. Swart: What flexibility do you have on the line-by-line budget in making determinations with regard to salaries, wages and other expenditures?

Mr. Lewis: None whatsoever. The ministry dictates to us the number of staff that we are to have and the rates we pay them. If there is a union involved it is a little different, but for the nonunion operators the wages are dictated by the ministry.

Hon. Mr. Timbrell: Did we not dictate staffing levels when you were on global as well?

Mr. Lewis: Absolutely not.

Hon. Mr. Timbrell: I thought we did.

Dr. Dyer: The global budget in a sense was struck on the basis of staffing patterns.

Hon. Mr. Timbrell: Staffing patterns?

Dr. Dyer: Staffing requirements, and therefore—

Mr. Lewis: I have a letter on my file here from the ministry that indicates "areas in which you can save money to increase your profit," and one of those areas is "reducing full-time staff and using part-time."

Hon. Mr. Timbrell: But that is not the same thing. Staffing levels and staffing patterns are different. I think you will find under the global budget we did, in fact, indicate the staffing patterns that were a requirement to maintain what we considered to be an acceptable level of service.

Mr. Lewis: The term that was used in those days was "response time," that the response time was under 12 minutes. There was no reference in the early days to staffing patterns or numbers of staff. If you were servicing an area and your response time was under 12 minutes, you were in pretty good shape.

Hon. Mr. Timbrell: The other thing I have to point out is in the material that has been given to you on the management

compensation plan. It is based on the principle that it would cost no more to manage those 72 services in the private sector than to do it if the management were through the public sector and does not exceed what it would cost if the operators were all civil servants. The committee should be aware of that.

Mr. Conway: I think we have to re-establish for the record the impression you left earlier that the ASB services seem to be for the provision of similar kinds of services, far richer in many of these respects, where you are shut out. That is the impression I got. Is that correct?

Mr. Turner: The purpose of the new compensation package was to make it more equitable for everybody.

Mr. Lewis: It is not making it more equitable.

Mr. Turner: I would suggest, with all respect, that it's a darn sight more than it has been in the past.

Mr. Conway: We just heard how fair it has been for some in the past.

Mr. Turner: You should see some of the rich ones.

Hon. Mr. Timbrell: Isn't it true that 47 of the 72 private operators get an increase with this?

Mr. Lewis: As I understand it, yes. In that same regard, though, I would like to comment. Originally when this first compensation plan was established in 1969 the letter that came out from the ministry set out a basis, but the fact was that the services were not put on that system. Approximately 20 to 24 services were put on that basis.

Consequently, as time went on and we got to 1975 when the basic salary was re-established, only those limited few operators had their salaries increased. There were many operators in the province who received absolutely nothing for the management of their services. Consequently, the system we are in right now is a hotch-potch of things that have happened in the past.

Hon. Mr. Timbrell: Exactly. In the past.

Mr. Lewis: The point I am making is why should 24 operators who were established on a remuneration basis in 1969 and re-established in 1975 be penalized now?

Hon. Mr. Timbrell: Let's take a case in point. You operate a one-ambulance service in Bradford. How much are you presently receiving to manage that one ambulance?

Mr. Lewis: My salary is \$15,000 and I receive a service bonus of \$3,000.

Hon. Mr. Timbrell: Under the proposed management compensation plan you will receive what?

Mr. Lewis: Nine thousand dollars and that includes my secretary's salary, so my portion of it will be about \$7,500 or \$8,000.

Hon. Mr. Timbrell: Something like that. That is to manage one ambulance. I should point out that proposal is based on the principle of that is what it would cost the ministry if that one ambulance was being managed by a civil servant. Correct?

Mr. Lewis: I am not aware of other than one ambulance services branch manager who works on the vehicles.

Hon. Mr. Timbrell: But is it not also true that's not your sole occupation?

Mr. Lewis: I have other investments.

Hon. Mr. Timbrell: Right. Now is it not true that you or any other single ambulance manager or operator could also choose to take one of the ambulance attendant positions on the three shifts?

Mr. Lewis: Yes, if I lay off one of my men.

Hon. Mr. Timbrell: And thereby get the management fee, which is no greater than what it would cost if it was being managed as a direct ASB service, and the pay of an ambulance attendant. Is that not correct?

Mr. Lewis: Yes, but still I am not aware of any ASB service managers who work the vehicles.

Hon. Mr. Timbrell: Yes. I am pretty sure, although I can't give you chapter and verse, Renfrew is one. I have been led to believe there are a number.

Mr. Swart: I just want to get back to this for another question too, and then I had one other different question.

Mr. Turner: May I ask a supplementary on that before you get on to another question?

Mr. Swart: Yes, but I'm still on this question, then you can have your supplementary.

Mr. Turner: All right.

Mr. Swart: What you are really doing is administering a budget which is set by the ministry. There may be some negotiations here and there but the budget is set by the ministry and you are just administering that budget, every detail within that budget is set by the ministry.

Mr. Lewis: That's correct.

Mr. Swart: That's a pretty unpalatable position, I would think. I would once again voice my view that if we are going to have a private sector, it should be private. Instead, they have the decision-making power and you can be operating on some form of a global budget.

Okay, Mr. Turner, if you want; but I have one other question on it.

Mr. Turner: Mr. Chairman, just to follow up on the matter you have been speaking to the minister about; is it not true that you phoned me as late as this morning and voiced concern over some of the things you have been talking about? I assured you at that point we would be willing to discuss them at the next meeting.

Mr. Lewis: Absolutely. If I have left the impression we are at a deadlock, I am sorry.

Mr. Turner: I just wanted to clarify that.

Mr. Lewis: As I have mentioned, in the past month we have been getting lots of co-operation.

Mr. Turner: I suggest it would go beyond the last month, with all respect.

Mr. Lewis: Well, a little bit, but not much.

Mr. Turner: I remember a certain meeting in February at which a great deal of progress was made. Would you not agree, Mr. Robinson?

Mr. Robinson: Was I there?

Mr. Conway: We will let the government save the government and the operators can save themselves.

Mr. Turner: Yes.

Mr. Swart: I just want to ask you to provide your views on how the dispatch function should be operated. You said, in principle, you have no objection to a central dispatch system. I believe there was a meeting last week in the Niagara region which may have had some bearing on this.

If that is taken over and operated centrally—I am not sure how this is done—and funded by the government, do you feel you should have some reimbursement for the loss of that system? Is that what you are saying? I would like to hear your arguments in that respect.

Mr. Lewis: Either some reimbursement for that portion of our business or some guarantee that our businesses will not deteriorate by the loss of calls—by the dispatch centre funnelling calls off to a neighbouring service. Some types of guarantees have to be established.

5:50 p.m.

Mr. Swart: Is the proposal to establish a central dispatch system connected with one of the ambulance services in an area—again I use the Niagara Peninsula as an example—or to take it totally out of the ambulance operations?

Mr. Lewis: I have no objections to one operator being involved with the central dispatch. The area I personally oppose, and which I think the majority of our association opposes, is the ministry being involved with the operational part of it themselves. We think this is an area in which private enterprise can function very well and efficiently. As long as the guidelines and criteria are established by the ministry and the licensing procedure is established, there is no reason why it can't be operated through the private sector.

Mr. Swart: If there were three ambulance operators in one area covered by the central dispatch system, would you think there would be any tendency to have more of the calls directed to the local ambulance services?

Mr. Lewis: Yes, that is a problem. One alternative to the system that I have suggested and there was some discussion about it, is that the operators affected by the central dispatch form a co-operative and manage the dispatch centre themselves.

Mr. Swart: It is getting late; there may be others, so I won't ask any more questions.

Mr. Riddell: I suppose I have been involved in the ambulance service operators' plight since I was elected in 1973 and many of the concerns which I had have have been expressed. But I want to return to Mr. Lewis's comments on the portion of a contract which has never been honoured by the ministry.

This contract was signed by Dr. Dymond—the Minister of Health in 1968. It was approved by the Lieutenant Governor in Council, passed on May 9, 1968, and yet the portion of this contract that has never been honoured has to do with the service bonus. It is my understanding that the ministry owes the ambulance operators somewhere in the neighbourhood of \$72,000 and this does not include the interest for the past 12 years.

I wonder if Mr. Lewis, who represents the ambulance service operators across the province I would think, has looked into this matter.

Mr. Lewis: This was brought to my attention as recently as two weeks ago.

Mr. Riddell: So up to this point, you haven't been able to ascertain the reason the

ministry has not honoured this portion of the contract.

Mr. Lewis: That's correct. The people involved contacted me by telephone about two or three weeks ago. They said they had this contract and they had received a letter from the ministry cancelling the contract, I believe within the last 12 or 18 months, and were sending me a copy of the contract and wanted me to look into it.

Mr. Riddell: I trust you will be looking into it. I am sorry the minister had to leave because I was going to also put the question to him. But some action is being taken. I will follow it with great interest.

Now, returning to central dispatch. First of all, let me ask you if you are satisfied with the conditions printed on the back of the licence relating to dispatch. Are these conditions acceptable to you people?

Mr. Lewis: They would be if there was an addition that would ensure the ministry would have to negotiate either the purchase or some other means of taking that portion of our business over.

I don't think they should be on the back of the licence in the first place. My licence hung on the wall for two years before we were even aware they were on there.

Mr. Riddell: I note that you do support central dispatch. Let me just give you an example. I think you are probably aware there were some services some time ago threatened by central dispatch, and I'm referring now to Woodstock, Rodney, Tillsonburg and London. And now those services come under the Thames Valley health council, which embraces Elgin, Oxford and Middlesex counties.

Apparently Huron and Perth counties couldn't agree to organize a regional health council, so if an operation in Huron and Perth lost their dispatch from their base, they would come under that central dispatch I have just referred to, since their patient flow is to Western Ontario Medical Centre in London.

Can you see a central dispatch including Elgin, Oxford, Middlesex, Huron and Perth as being workable?

Mr. Lewis: There are aspects of a central dispatch that are very beneficial. There are aspects of it that are not so beneficial, and the ones you refer to probably aren't. I think the ministry feels—if I can reiterate—and some of the feelings we have are, that co-ordination of calls, is a beneficial idea.

Sometimes I think that central dispatch can get too big. We are certainly not in

favour of the centralized co-ordination of patients province-wide because it's creating havoc within the industry at the present time.

We are not allowed to move a patient more than 50 miles without contacting the central dispatch in Concord. In some areas of the province the nearest hospital is 55 miles, so for every patient they have to move, they have to contact Toronto. There have been extended periods of waiting for them to answer; to give approvals; numerous telephone calls back and forth; and I don't think, personally, that's a very workable system.

Mr. Riddell: But you don't agree entirely that by taking away an operator's dispatch from his own base, it's just like taking the heart out of the business.

Mr. Lewis: Absolutely. We have no question regarding that whatsoever.

Mr. Riddell: You would be inclined to agree with me then that there is a lot more to be desired with central—

Mr. Lewis: Sure, absolutely. We never said anything different. All I have said is there are principles involved we have to agree with in central dispatch. But there are also areas in which we disagree.

In small communities you have personalized service; you know the people who are phoning; and it makes it much more personal for the people involved. When you get into areas such as Toronto and larger regions where the personality is not there anyway, then it's a little different. But in the very remote areas I see no benefit to a central dispatch.

Mr. Riddell: Okay. Turning now to another subject, are you satisfied with the qualifications of regional co-ordinators and regional managers?

Mr. Lewis: I haven't given that very much thought. I don't have any problems. I know there are areas in the province where there are numerous problems; I haven't been involved with them personally, and the board of directors has not really got involved.

Mr. Riddell: An allegation was brought to my attention whereby a person became a regional co-ordinator within the last two and a half years and has now stepped up to regional manager, and that person came with absolutely no background whatsoever in ambulance services. Now does this seem right?

Mr. Lewis: I'm only answering personally now. This does not come as an association viewpoint.

I think there are qualifications to management other than being involved with ambu-

lance service. There are benefits for people who have worked on vehicles and know the inside operation of an ambulance service to step up, but I guess what I'm saying is Mr. Timbrell isn't a doctor and I think the management ability is more important than the actual experience within service.

Now as I said, that's coming off the top of my head.

6 p.m.

Mr. Riddell: Okay. Finally, what are your views on the ministry air ambulance service?

The reason I am asking you is that a person I put a great deal of faith in, who knows the ambulance service backwards, takes the view that the ministry is pouring a million dollars every year down a well that has no bottom. He goes on to say, if there is a need for an air ambulance there are sufficient commercial and military planes ready to go at a moment's notice.

The land ambulance crews are just as capable as the crews they have on the two planes they have now. You cannot get them when you need them. One does not fly by night and the other was in for repairs when an emergency came up in the last two months. It is just a complete waste of the taxpayers' money. If anyone does survive being taken by air ambulance to Toronto hospitals they would in most cases have survived going by land ambulance as well.

Would you like to comment on that?

Mr. Lewis: I am not prepared to comment at this time.

Mr. Turner: Mr. Chairman, just as an observation, I had occasion to go to hospital last fall. On the very night I was admitted an emergency case came in about half an hour afterwards. That person could not be dealt with by the doctors or by the facilities in Peterborough. The air ambulance was called and it came in less than half an hour. That person would not have survived had he stayed in Peterborough.

Mr. Riddell: I think this person is indicating, Mr. Turner, that there are commercial pilots and private pilots who could have brought that patient to hospital.

Mr. Turner: Not with the equipment.

Mr. Riddell: I am just indicating the views of somebody who probably knows the ambulance services far better than you do.

Mr. Turner: I think you had better investigate it.

Mr. Riddell: We intend to.

Mr. Chairman: It is after six o'clock. Mr. Millroy, did you have a comment?

Mr. Millroy: Mr. Chairman, I was just going to mention that I am perhaps as remote an ambulance operator as is present at this meeting and I have on two occasions engaged the air ambulance. On both occasions I have been most impressed with the response, most impressed with the personnel and, the expense notwithstanding, I think it is a tremendous asset. That is all I have to say.

Mr. McGuigan: Mr. Chairman, I have a letter from Padfield Ambulance in Rodney, Ontario, in my constituency, which goes through the whole litany of events. I am not going to go through those things; we have had them explained to us pretty well this afternoon. I just want to read the last couple of paragraphs.

"The Minister of Health is presently reviewing our plight. Please, Mr. McGuigan, intervene on my behalf. Ask the Hon. Mr. Timbrell to treat us fairly. If he is going to force the private operators out of the ambulance business, at least compensate us. If he is not willing to buy us out then make his officials realize that we have something to sell and the present situation is intolerable.

"Ambulance service operators have neither the protection of public employees nor the right of entrepreneurs to manage. We are in limbo and need your help to protect our lifelong investment."

I gather from the comments this afternoon that most of these concerns have been taken care of. Is that really the message you are bringing us this afternoon?

Mr. Lewis: No, but we have started and we still have a lot of concerns, the management compensation package being one, and there are other areas that I referred to this afternoon, but at least our complaints are not falling on deaf ears now.

Mr. Riddell: I would like to go through that compensation package but in the interests of time we will have to pass it.

Mr. Robinson: Mr. Chairman, if I might just make a couple of comments to sum up briefly as time is running out, I think the overall concern of the association has been, in the past, the inconsistency of the ministry. I believe the minister admitted to that earlier on today.

Mr. Riddell: And it has been that way for 37 years.

Mr. Robinson: And it may well have been that way for 37 years, to reflect my friend's thought.

By the same token, as a result of those inconsistencies—and this does not necessarily

fall on the shoulders of any of these gentlemen over here in the corner—they have developed a siege mentality, and I am using somebody else's words here. Because of the decisions that have been made on a unilateral basis and on a retroactive basis the operators have been paranoid.

We have tried to press for a change and there have been some problems either in getting together with committees or you get the hot potato routine, "That is not my bailiwick, pass it around." That has resulted in my being engaged as counsel.

I should also mention, in passing, the \$50,000 or even half that does not flow to me as my legal fees, as a matter of record.

Mr. Chairman: We were thinking it did.

Mr. Robinson: Mr. Lewis, speaking for the association, has said the ministry is cognizant of this at the highest level and has made changes. The first big step they took was given to us on Thursday, or given to the association and revealed at that time. I think this is what the thrust of Mr. Lewis's comments was.

There are still a lot of other areas to be covered. Part of them is the dispatch, and they are meeting to deal with the dispatch problem and it is still a problem.

The other aspect is the matter that was raised by Mr. Hollinger: are the operators going to be essentially crown corporations or are they going to be private entrepreneurs; can they do the appropriate writeoffs available to them under the corporations legislation or are they going to be directed by crown authorities as to what they can take out of their budget and how they can apply it? I think that is an area for clarification and it should fall into place.

What we look for and seek from the ministry—and I believe we are getting—is a clear written policy that is established so that everybody knows where he stands and then they can get rid of this so-called siege mentality which one of your committee members mentioned. With this in mind I think, as far as the standing committee is concerned, you will probably see over the long haul, probably a better managed and more efficient operation. The private business sector feels this; the private operators feel they can do this.

At this point if you wish, the association is quite prepared—because of the short time we had to come before the standing committee—are you prepared to entertain a brief from the association or would that be relevant at this time?

Mr. Chairman: I think, Mr. Robinson, if your group or any other group wishes to submit a brief to the committee at any time, that is quite appropriate. The brief can be submitted and tabled and circulated among the members; that is no problem at all.

Mr. Robinson: The last point, we are certainly not leaving here in a sour grapes position for the association. As I say, we want to make it plain on the record that latterly the association has had a great deal of co-operation from the ministry officials, despite the fact we had to go to court on a number of matters. That is good for me, of course, and for my firm, but we are making some progress and getting some of these things sorted out. But we still have a piece to go.

On my behalf, and I am sure Mac will speak to this, thank you very much, to the

committee and the people, for hearing us today.

Mr. Lewis: I would like to reiterate Don's comments and just simply say there have been inconsistencies in the past which have created hardships among a number of our members. I feel very strongly, if we can resolve our problems, you will get much better co-operation from the members of our association. I think if the owner-operators are given a say in the operation and in the development of policy in the future, the whole system will operate much more efficiently and harmoniously.

Mr. Chairman: On that comment, we will adjourn. The committee meets tomorrow at four o'clock.

Item 4 agreed to.

Vote 3202 agreed to.

The committee adjourned at 6:10 p.m.

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From the Ministry of Health:

Dyer, Dr. A. E., Assistant Deputy Minister, Institutional Health Services
 Teasdale, D. N., General Manager, Direct Services Division

From the Ontario Ambulance Operators Association:

Hollinger, L., Secretary-Treasurer
 Lewis, M., President
 MacDonald, R., Vice-President
 Millroy, K., Member
 Robinson, D., Counsel



Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development
Estimates, Ministry of Health

Fourth Session, 31st Parliament
Wednesday, June 11, 1980

Speaker: Honourable John E. Stokes
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

WEDNESDAY, JUNE 11, 1980

The committee met at 4:08 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF HEALTH (concluded)

On vote 3203, community health services program:

Mr. Chairman: This afternoon we are on our final vote for the estimates of the Ministry of Health, vote 3203, and we have as a witness Dr. Ken Kawall, senior consultant, public health dentistry.

Hon. Mr. Timbrell: Mr. Chairman, also present are Dr. Gordon Martin, who is the chief medical officer of health for the province, and Mr. Peter Willmott, whose responsibility it has been to co-ordinate all the activities of the six working groups. As I have mentioned to the committee several times before, there are six core program reports that have been in the works for some time.

Would it be helpful if Dr. Martin gave an overview of how this all fits into what we are doing in the public health area and the new act and so forth?

Mr. Chairman: I think it would.

4.10 p.m.

Dr. Martin: Mr. Chairman, the Public Health Act of Ontario was established some time in the 1970s and I think it has served Ontario very well, but a number of its thrusts are definitely thrusts of the previous century. For example, our public health services now are carried out by 43 boards of health that serve counties and regions, basically. The Public Health Act was developed for a standing committee of municipal councils and at one time there were 937 boards of health.

The whole thrust of the public health program has changed considerably since the introduction of the Public Health Act and the need has been felt for replacing it in its entirety rather than putting on amended patches to meet the programs of the present day. For example, the responsibilities of our boards of health for health units will be ad-

dressed by a new approach much more directly than has been possible.

Mr. Minister, you have for some time given consideration to the introduction of a brand new piece of legislation. In looking at the decisions regarding the new legislation, one of the important issues that came up was the fact that in the present Public Health Act there is no statement to boards of health as to program content. There are many statements which cover certain issues, so that if an offence has occurred against the public health, certain actions can take place but there is nothing about the ongoing responsibilities of a board of health in carrying out its functions as administrator of the public health at the local level.

The review was initiated by a compilation of a list of principles. These related to such things as the board of health, its structure, its function; the program areas of environmental health; communicable disease control, et cetera. A task force was established in each one of five areas and the principles were lumped together so that they could be discussed as a group.

These task forces met and developed recommendations for each area. Their reports were sent out to the field for reaction. The comments received form the basis for continuing internal discussion.

One of the strong recommendations made by our task force on administration was that core programs be developed. These would be programs that boards of health would be required to provide for their municipalities in return for the receipt of the transferred payments.

The core programs were again divided into six areas—six seems to be a popular number—dental, nutrition, immunization and hospital infection control, environmental sanitation, home accident prevention, and family health. These were looked at by individual committees made up of both members of the ministry and outside professionals. They produced their reports. These have had wide circulation and these reports will form

the basis for the next step in the development of the legislation.

These actions with regard to core programs are taking place parallel to other continuing actions in such areas as the development of administrative details for the new piece of legislation.

Mr. Minister, that is a rough background. The dental area, as mentioned, is one of the core program reports that came out of this process.

Hon. Mr. Timbrell: Perhaps it should be emphasized that all of them have yet to receive approval as ministry policy. Once that is given, allowing for the fact that some may go back for revisions or further consideration, then they would form part of a cabinet submission. They are quite a way yet from becoming ministry or government policy.

Perhaps Dr. Kawall could now describe the process they have gone through in developing the report on dental care—whom they consulted and what they reviewed.

Mr. Leluk: Mr. Chairman, I have a question for the minister. I wanted to ask what input your ministry has had from the Ontario Dental Association or the municipalities or the boards of health, in this core program. Is it your intention there should be some input?

Hon. Mr. Timbrell: There has been extensive involvement. I do not have the list.

Mr. Leluk: Is this the core programs?

Hon. Mr. Timbrell: It is in the discussions about the core programs. Have you got the list handy?

Dr. Kawall: Yes. There are a number of—

Mr. Leluk: My understanding is, from speaking to someone at the Ontario Dental Association, that they have had no input at all. They wrote a letter to Dr. Kawall on December 20, 1979, and haven't had a response to their letter: Is that correct?

Dr. Kawall: That is correct.

Mr. Leluk: Is it not a common courtesy to reply to people's letters, particularly with a dental association or any other professional association?

Dr. Kawall: It has been received and I think the Ontario Dental Association is aware that it has been received by the committee, and that the committee will address itself to it in the course for further modifications of the recommendations.

Hon. Mr. Timbrell: I am sorry, but I know the various aspects have been discussed at a number of meetings I have attended. We

sent you a copy of the report. The makeup of the committee is on page five of the report and involves people from the ministry but also Dr. Glenny, the dental director in Waterloo, Dr. Hicks, the dental director in Sudbury, who is also president of the Ontario Society of Public Health Dentists, and Dr. Hunt from the faculty of dentistry of the University of Toronto. I won't read them all.

Mr. Leluk: Mr. Minister, I have a letter from the Ontario Dental Association dated June 9, 1980, and I am told that the Ontario Dental Association was not consulted by the Ministry of Health in any way in the development of the core program. Is that true or is it a false statement?

Hon. Mr. Timbrell: They have not been members of the committee. What I started out suggesting was that Dr. Kawall could go through the process and show you what has been done and what we are going to do, if that's agreeable.

Dr. Kawall: I received my mandate from Dr. Martin, our executive director, to review existing activities of public health units in this province, to examine them and perhaps develop many more services that public health units should be providing for the citizens of Ontario. That in summary was the mandate I got from Dr. Martin.

Dr. Martin gave me the right to establish this committee and to invite the members whom we have listed on page five, which included three dental directors from the current Ontario health units, a professor of community dentistry, and the Society of Medical Officers of Health was asked to nominate a representative. They nominated Dr. Archibald. Mr. Peter Willmott is the project co-ordinator and he sat in on all the meetings.

The procedure we had decided on for this committee was to develop a basic or preliminary draft of our findings and our recommendations and, having done that, to circulate it to a number of organizations including the Ontario Dental Association—these are listed on page eight of the report—and to invite comments on the draft report. This was the procedure we were following.

At the time the draft was developed there was a tight deadline to get the comments back and to include them in our final report, so we have gone ahead and more or less developed the final report without receiving all the comments. It was incumbent upon me at that time to get my report for presentation along with Dr. Willmott's other reports.

Mr. Leluk: Doctor, just on that point if I may, I am advised that the Ontario Dental Association received the copy of the report we are talking about and a request for comments. These comments were made and forwarded to you on December 20, 1979. They have had no reply to this date.

Dr. Kawall: The comments were received, as I recall, some time in January.

Mr. Leluk: It is now June. Do you take six months to reply to a letter?

4:20 p.m.

Dr. Kawall: I was merely following the procedure that had been laid down for me. It was not necessary at that stage to respond to any of the comments we received. I did not respond to any of the organizations listed on page eight.

The committee has developed the final report but this does not mean there is no room for further input into the development of the regulations that would guide this core program committee.

Mr. Breagh: I would like to spend a little time on the general notion of the development of these core programs, where they are and what the process will be past this point. If I have this straight, their current status is that they are by and large an in-house exercise, done by ministry staff and pulling in people from the field. At this point, where you have developed drafts of these, you would now proceed to go, for example, to the dental association or any other organization and engage in some kind of dialogue with it. Is that correct?

Hon. Mr. Timbrell: I'm sorry, I was talking to Dr. Suttie. I would like Dr. Suttie to clarify this question about not cutting people off. I don't want that impression left.

Mr. Breagh: Yes, I think someone ought to explain why it takes you six months to reply to a letter.

Dr. Suttie: The process that has been described involves, quite obviously, the requirement for full discussions with all concerned. I understand, although I haven't seen the article myself, that an article put out by the dental general review, speaks very favourably of the core program proposals. Dentistry has been well represented in the core program committee. We are already in touch with the Ontario Dental Association and are talking about setting up a liaison—a better term might be regular exchange of information meetings. One subject of these meetings will be the core program package.

You are seeing a process of development, discussion and refinement in preparation for the legislation which is under way. We also have been in touch with the president of the Ontario Dental Association so I am a little concerned that you are receiving advice that appears to be not entirely complete.

Mr. Leluk: But they have not had a reply to the letter which they sent to Dr. Kawall back in December and that was the point I raised.

Dr. Suttie: That is correct. They have not had a piece of paper saying—

Mr. Leluk: The point was also made that they didn't have any input at this point into the core programs.

Dr. Suttie: The letter is only part of a communication process. They are well aware through informal communications that we have received this and they are also aware that we wish to discuss it further with them.

Mr. Leluk: That's fine.

Mr. Breagh: No, that doesn't make sense. Nick is in here reading the letter, saying that those are all myths, that they haven't had a reply and they wrote another letter yesterday. Now we are being told: "Oh, yes, they have had a reply. They haven't had a formal letter." Now which is it?

Dr. Suttie: They have not had a letter on paper. I said that and I repeat that. They have not had a formal pronouncement.

Hon. Mr. Timbrell: It sounds to me as though a simple acknowledgement, at least, should have gone out.

Mr. Leluk: I think, Mr. Minister, in fairness, all the Ontario Dental Association is looking for is some input.

Hon. Mr. Timbrell: Let me say that there has been no process more open than in the development of these papers. The press attention that was given to this subject two months ago was not due to a brown envelope or something like that. That was because it was being discussed in an open public meeting of the board of health. There have been a great many bodies involved directly or indirectly. Now, I was not aware we hadn't at least sent out an acknowledgement and I am prepared to acknowledge that was not appropriate, but we are a long way from completing the review of these reports and making some decisions.

Mr. Leluk: I did not suggest, Mr. Minister, that this was a brown envelope report. The dental association received a report from Dr. Kawall on the core programs. They know it is a public document; their concern was that

they were asked for an input, they wrote to the doctor and did not receive a reply to their letter. It is now six months later. That was the point I was raising.

Secondly, may I ask you this question, Mr. Minister? Is the task force report on geriatric dental care a public document or is this a document that is strictly within the ministry? Are you aware of some task force report on—

Dr. Kawall: It is a within-the-ministry document.

Mr. Leluk: Has the Ontario Dental Association had any input into that, or have they been asked?

Dr. Kawall: No, it has not had any input into that.

Mr. Breagh: What is the answer to it? Did they or did they not get a reply?

Hon. Mr. Timbrell: I think we answered that three times, but no, they have not as yet.

Mr. Breagh: No? Let me hear you say yes or no. Try that one on for size. Did you reply to the dental association or not?

Hon. Mr. Timbrell: I said it is obvious that the contribution was not acknowledged. I think Dr. Kawall said that at this point the committee had not got back to any of the contributors of responses to the draft report.

Mr. Breagh: Does that constitute a no?

Hon. Mr. Timbrell: I said there has not been a written acknowledgement.

Mr. Breagh: So it does constitute a no?

Hon. Mr. Timbrell: Depending on the question.

Mr. Breagh: The answer is, "No, he did not reply," despite the fact Dr. Suttie just said you did reply.

Hon. Mr. Timbrell: There had been discussions and the meetings Dr. Suttie had referred to have been set up. To that extent I guess I will have to say there has been a reply, but there has not been a written acknowledgement or a reply, no, refuting or challenging or accepting, whatever. That has not happened.

Mr. Breagh: I would hate like hell to have you giving pregnancy tests. You would give an awful reply to that one.

Could I spend a moment or two on the development of these core programs in general? Is there anyone courageous enough to give us a projection as to when we might see this new health protection act?

Hon. Mr. Timbrell: We previously indicated the spring of 1981.

Mr. Breagh: The spring of 1981. In the process of gathering up what you have des-

cribed as core programs—and I think I have a reasonable understanding of how you put those together—am I to take it that the next stage will be some form of public involvement in whether or not these are good core programs? Will you, for example, involve the colleges and local boards of health in this? Will there be a big forum on the new health protection act somewhere, where you will invite them all in? Is that the kind of process you are thinking of?

Hon. Mr. Timbrell: We are working towards producing a white paper with the essentials, the principles of a new health protection act, for discussion in the fall and allowing for response over the winter from all the professions, colleges and so forth. We then aim at a spring 1981 introduction.

Mr. Breagh: Okay. I take it from the nature of this core program and the others I am aware of, that you are aiming at the mechanism being a local board of health. They will provide the service and staff and you will define a program and fund it. I take it you are also contemplating a shared cost basis.

Hon. Mr. Timbrell: Yes.

Mr. Breagh: Any idea what the split might be?

Hon. Mr. Timbrell: At present the split is 75-25 per cent in most units; 60-40 per cent in six, which was moved up from a 50-50 split this year; and 66% to 33½ in Metropolitan Toronto. The eventual goal is to have a uniform 75-25 per cent split.

4:30 p.m.

Mr. Breagh: It has been my experience in a number of programs like this that the financial split is often a critical matter as to whether or not it materializes. Local municipalities, looking at what, from a Queen's Park perspective, looks like quite a sweet deal, find it is not so sweet a deal and that it is very tough to come up with that 20, 30 or 33½ per cent of the cost of the program so that the program does not happen. Are you anticipating, in moving toward a uniform funding formula, that that will be a matter of negotiation with the municipalities?

Hon. Mr. Timbrell: This year we identified eight health units that needed some enrichment. Over and above the 7.6 per cent increase given to all health units, we gave a further five per cent to those eight. I do not think all we are talking about on the six core program reports can be done in one year. It has to be done over three to five years.

In the process I would hope we would be able to obtain moneys each year to allow us to continue that process, to identify, if you will, weaker or undernourished health units and beef them up.

They may still require further local contributions.

Mr. Breagh: Yes.

Hon. Mr. Timbrell: I am sure you remember as I do when it came time to choose the committees in council—

Mr. Breagh: Yes, it is a low priority.

Hon. Mr. Timbrell: Health has traditionally been a low priority in municipal government. It is changing. I think being a member of the board of health is now a much more attractive position to local citizens as well as to members of council. They are giving it a higher priority. But that is not uniform yet either.

Mr. Breagh: Essentially in the development of these types of programs you are indicating a rather substantial change in the provision of health care—as I read these reports, at any rate—a real beefing up of the operation of the local board of health, a far more active role for it to play, all of which I support. But realistically, does it strike you this is going to be a feasible project from a cost point of view? I can think of a number of people who might be upset if the population gets healthy.

Hon. Mr. Timbrell: I will not ask who. I think it is realistic, yes. We are one of the last two or three provinces that retain local boards of health. Most of the provinces put public health under the provincial government. Some of them have delegated it to the hospitals.

I was surprised to go to Montreal two weeks ago to find out that public health is, in effect, run by the hospitals. We think the local board structure works and can work in the future, obviously with cost sharing. It is at present 75 per cent-25 per cent. I don't know what it will be in the future. It might change to a greater provincial share, but that is the present sharing.

Mr. Breagh: Have you had any preliminary discussions with the municipal associations in this regard? For them as well, this would be a substantial departure from what now exists. They would be into much heavier programming, they would be into additional costs, they would be into additional staff, and quite frankly it takes them down a road they have shown some reluctance to even embark upon so far.

Hon. Mr. Timbrell: I have not had any formal discussions with, say, the Association of Municipalities of Ontario or the Association of Counties and Regions of Ontario or groups like that. There have been discussions with the Association of Boards of Health, many of whom are themselves municipal politicians. But I would think that is an area which we are going to have to touch base with, through the PMLC or some other structure.

This year, for instance, we will have by and large identified the malnourished units. We have had pretty good municipal co-operation. What we have said here is, "We are prepared to put up a further five points on the budget to bring you up to a more acceptable level of service conditional on your putting up one and one quarter per cent"—25 per cent of the increase anyway.

Mr. Breagh: In implementing this you did say you intended to phase it in, but are you, for example, intending to go the same route as you did with chronic home care programs; that there will be a need to get a local board of health or a local health council to agree to it, to propose it for funding and soon, and that your end result is: it is a long and difficult process before you get it implemented, but we all agree is a worthwhile process?

Hon. Mr. Timbrell: What I envisage, either by program or by the total package, is to do it across the province over three to five years. So you wouldn't, say, have one health unit brought completely up to whatever we were talking about in the legislation and in the reports, while the neighbouring unit is at unacceptable traditional levels. Rather we would be talking about, say, maybe in the first year doing nutrition across the province, the next year dental, and the following year whatever; or elements of all programs year by year, which is the more likely. Because this will have implications for manpower planning for nutritionists, dentists, inspectors, public health nurses, you name it.

Mr. Breagh: You say your target date for legislation is the spring of 1981. That would indicate to me that if you got the legislation through the House in the spring of 1981 you would want to start on your program probably in January 1982 or thereabouts. It strikes me you have not left yourself much lead time to generate the personnel you would need to implement these programs. Is that a concern?

Hon. Mr. Timbrell: Yes. In the first year I think we will have to aim at areas that

aren't as staff intensive, probably, to allow for some leadup in the colleges, once everything is agreed on.

Mr. Breaugh: What concerns me about it is this. If you are saying you have the legislation next spring for implementation the following year, I can't think of colleges or universities which could gear up to supply personnel for such programs on a one- or two-year lead time basis.

Hon. Mr. Timbrell: It's going to take three to five years to get it completely up to what will be in the legislation.

We are experiencing this now with chronic home care. Even with advanced lead time they are finding in some cases it is taking a further three to six months to find a speech therapist, occupational therapist, physiotherapist or whatever.

Mr. Breaugh: It strikes me it will turn out to be a major problem for you. We may wind up once again with one of those great announcements, "Here is a new program," but the program can't happen for four or five years, if then.

Hon. Mr. Timbrell: I have said that publicly. I said it in my remarks to the Association of Boards of Health at the annual meeting in Oshawa just a month or so ago. I didn't create any illusions. It's going to take three to five years, and they know that, because of the problems they have attracting personnel.

Mr. Breaugh: I would just like to say that it is precisely the kind of thing that I support wholeheartedly. I really think it needs to be done and needs to be done on a wide scale. I am not at all playing down how difficult a task it's going to be. It is going to cost a potful of money if it is to be done effectively; if it is actually to provide services rather than public relations programs.

The financing, the organization and the staffing are going to be rather large tasks, and I encourage you on that, but I would not like to see us get into what I think is now the current situation, in which we have no shortage of brochures and bulletins and advertising campaigns and very little real services provided. That continues to be a major problem all over.

Hon. Mr. Timbrell: It is not as though we are starting from zero. Every health unit has a preventive dental program now, although one can argue that some are more effective than others. Eight of the health units have a treatment program in place now. One that immediately comes to mind is in North York, where I live.

Look at the supply of dentists in this province compared to others. Look at the rate of availability of fluoridated water—I think we are second highest in the country—62 per cent of the population are on potable fluoridated water supply. I think we rank not badly. That isn't to say we couldn't do better; we could improve the matter significantly.

Of course, this business of fluoridation is an ongoing problem. The fact that in some significant communities in the province—

Mr. Breaugh: Kingston.

Hon. Mr. Timbrell: Well yes, Kingston—approved in one election and out the next, before the equipment can be installed.

What should our policy in the future be in that regard? Are we going to continue to be misled by this outfit in Washington, DC, about the effects of fluoridation?

4:40 p.m.

Mr. Breaugh: My concern basically is reaffirmed by what you have just said. I think it is nonsense to say that we have dental care programs, of any kind that the public can identify, in every board of health across the province. We can find them; we can find pieces of paper or something in place that someone will call a preventive dental care program, but the reality is that for most people in this province it isn't there—unless you are happy with a couple of posters or a speech once or twice a year and are prepared to accept that as a program.

You have expressed that in somewhat different words, but I think the reality in a number of places is just as tough as this report documents. You did surveys on the kind of services that are actually provided, but when you get right down to it, what the public actually gets is virtually nonexistent.

Hon. Mr. Timbrell: There is an inconsistent pattern.

Mr. Breaugh: You bet.

Hon. Mr. Timbrell: That is why a year and a half ago we recommended we begin this process to try to arrive at some standards and goals to work towards across the whole province.

That is not to say you will not have some boards of health who will, for local reasons, still want to go beyond even what is identified here. That will happen. Some of the wealthier municipalities will continue to put more of their resources into public health. Toronto has, for years—even more than, let us say, East York, Scarborough or North York. That will still happen. Even with this new legislation and all the work that has

gone into these core programs, they will still want to have that much more than what is generally acknowledged to be the desirable level.

Mr. Breaugh: That is precisely the nature of my concern. It is not really good enough, in my view, to move through a paper exercise which sets standards that never get implemented. It is not good enough to say that we have a preventive dental care program across the province that people can't find because it isn't there. It is nice to say that kind of thing, but if there is no implementation of a service it really is a fruitless exercise. You can make a paper argument that one does exist, but, for all practical purposes, the people of Ontario don't have one.

Hon. Mr. Timbrell: I don't want to make a paper argument for it. If you will look at pages 20 and 21 and at the staffing patterns, you will find that some areas are significantly below where they should be. Others actually exceed.

Mr. Breaugh: By a little bit.

Hon. Mr. Timbrell: But they do exceed. And many are very close to what was identified six years ago as the desirable staffing level. But there is that inconsistency across the province in this and so many areas—for that matter, it even exists in family planning, where we fund the costs of family planning programs 100 per cent.

For a variety of local reasons there are inconsistencies in the degree of availability of the service by health units. That is putting aside any problems of funding. We pay the full shot.

Mr. Breaugh: I would like to spend a little time on this particular report because it is a matter about which the House has talked in a resolution and is something which I believe to be important. It was my feeling that if we went at all six of these reports we would not get very much out of the exercise. So I would like to spend a little time on this particular one and go through some of its recommendations and comments.

Part of what is being proposed in this core program is a kind of mechanism of organization, and it bothers me just a little. Why is it that the initial recommendations on administrative costs go in the way they do? In particular, in the recommendations on page two about administrative costs, you go through 16 public health directors, seven assistant directors, 21 program co-ordinators, and 43 secretaries for \$1.9 million as the

projected cost. How is it that always turns out to be the first order of business?

Hon. Mr. Timbrell: Someone has to organize the programs.

Mr. Breaugh: I understand that, but why are we into administration as a first step? Are you saying that this will be an add-on to what now exists in a local board of health—that the first order of business will be to go out and hire these administrators?

Dr. Kawall: Currently we have 15 full-time and nine part-time dental directors operating these programs in the province. We are just tidying it up. We are not adding to that—those people are already there. We are just estimating the total cost of the whole program.

Mr. Breaugh: You are saying that these people are now on staff somewhere in Ontario and that you are going to recognize that as administrative cost?

Dr. Kawall: That is right.

Mr. Breaugh: In the summary you began by saying, "The standards for the delivery of public health dental services have been developed and promoted in recent years by the Ministry of Health and the Ontario Society of Public Health Dentists." You also acknowledge that the level of service has not been provided equitably.

Are you satisfied that these standards are ones which the public at large judges to be satisfactory or that the dental association is happy with—or are these just in-house developed standards?

Dr. Kawall: I would think these are well-recognized preventive programs which could be implemented and produce a benefit, particularly for children in this province. These are standard recommended preventive programs and if Ontario units can be introduced on an equitable basis across the province we will see results.

Currently we are, in fact, seeing some benefits from the existing programs. Many of these programs are already in place, albeit on an inconsistent basis. But we have a way of monitoring the programs. We use our dental health statistics, which we have been doing over the past 10 years, the DEF and the DMF ratios—DEF referring to decayed, extracted and filled primary teeth, DMF representing decayed, missing and filled permanent teeth. We have been able to demonstrate, statistically, improvement in the level of dental health of Ontario children.

Mr. Breaugh: Let me try to go at it in a slightly different way then. It is entirely pos-

sible, in fact quite probable, that your staff can set your own standards and be immensely pleased that you are meeting those standards, but to the people who get the service it may not be the service they need and, to other professionals in the field, those standards may not be satisfactory.

How do we know your standards are accepted by the dental community and by the people you are supposedly serving?

Dr. Kawall: I would think the Ontario Dental Association could not question the programs that we are advocating as proper preventive programs. We have searched the literature related to programs currently in place and many other community programs in the United States, for instance, and these are the programs that we felt were necessary in Ontario.

Mr. Breagh: That leads me to the obvious question. How do you know that the Ontario dentists feel that way?

Dr. Kawall: We are back, I guess, to acknowledgement of the ODA comments.

Mr. Breagh: What was the nature of their comments?

Dr. Kawall: I think they were generally supportive. They raised some questions as to the delivery of some of the programs which we were advocating. But my impression—I do not have the comments with me—was that generally they were supportive of what we were proposing.

Mr. Leluk: Maybe I can help you, Dr. Kawall. Didn't the ODA take some firm positions on the necessity for province-wide community water supply fluoridation, the role of dental public health staff in executing health education information programs and the need for the Ministry of Health staff to renew its acquaintance with earlier staff reports on the delivery of dental services to children?

These were the three main areas on which they took a firm position. They felt these should have been given some consideration and that the association be notified that that had been done. But to this date they have not had any response to these positions, which they took as a professional association.

Mr. Breagh: That rather gets to the nub of the question, doesn't it?

We have all worked with engineers, planners, all kinds of professionals in the field. I have never heard one of them say, "My professional standards are sadly lacking." But I have often heard arguments among professionals that if you let individuals, in whatever profession, set their own standards it

becomes a very dangerous business after a while. It should be out in the open. If your standards are really that great you should have no fears at all about making them public and publicly receiving another professional's opinion on those standards.

4:50 p.m.

Dr. Suttie: Mr. Chairman, if I may, just for information, address the matter of the involvement of dentists in the development of standards. The record stands that, first of all, these standards for delivery of public health dental services have been developed and promoted as a result of conversations and work between ministry dentists and the Ontario Society of Public Health Dentists. So the dental profession, in whatever grouping, has been consulted and has been involved from the beginning, and the Ontario—

Mr. Leluk: Which is the association for dentists in this province? It is the Ontario Dental Association, is it not?

Dr. Suttie: But the Ontario Society of Public Health Dentists has an even more dedicated interest in, and knowledge of the specifics under consideration. What body could be more appropriately involved?

The second point I wish to make for the record is that, quite clearly, the consultation process continues. The consultation process looked at that specific group of dentists who had this specific role and this specific background knowledge, and drew from them. We then have a document which is quite clearly labelled—it is not ministry policy—signalling it is for further discussion, that further discussion will take place.

There has never been any doubt in our minds that further discussion would take place, and I apologize for the fact that in some ODA hearts, there seems to have been some doubt. But the intent and the commitment to ODA involvement in the process, and commentary on something tangible to comment about—

Mr. Leluk: Let me ask you this. The up-front positions taken by the Ontario Dental Association in those three areas—could you tell me whether the ministry has considered these positions and why it hasn't replied to them up to this point?

Dr. Suttie: A letter has gone out; I don't know the date. I have seen the text of the letter which passed through my office to the ODA quite recently to this effect: "Okay. The next part of the process is about to begin. Let's sit down and reason together. We do indeed acknowledge and react to your previous comments."

You can catch us, if you like, halfway through the consultative process. If you had asked me these questions six months from now there would have been no debate, because the ODA would have been through them itself.

This isn't an emergency or expedient answer to your question. It is quite simply a logical sequence of consultation. The specific dental expertise that relates to public health and that which was provided through the consultations with the Ontario Society of Public Health Dentists, is there for construction of the document. That document is going to be discussed further and will be modified, obviously, as a result of the discussions.

Mr. Breagh: But as of this moment, has anybody participated in the writing of this report who isn't, in the first instance, a direct employee of the ministry or, in the second instance, an employee of a local board? Is there anyone from outside that elite group who participated in this process?

Dr. Kawall: Mr. Murray Hunt, who is a professor of community dentistry at the faculty of dentistry, University of Toronto.

Mr. Breagh: And?

Dr. Kawall: The other members of the committee were three dental directors in the Ontario health units—not ministry employees.

Mr. Breagh: So the answer is there has been just one person involved who is neither an employee of the ministry nor of the local board. Is that right?

Dr. Kawall: That would be correct.

Mr. Breagh: So there has been one.

Those of us who spent some time in municipal politics at two levels have seen the interesting confrontations you get when one set of engineers and their specs go up against the scrutiny of another set of engineers and their specs. You get that in virtually any profession, I know.

It sometimes becomes a dangerous piece of business to have just one professional opinion offered, particularly when you are going at something as comprehensive as this to set the standards initially. For example, this document has now been presented, and if the standards are not accepted by one's own professional community you have a bit of an argument afterwards.

It is often difficult for a lay person to follow because it has a jargon, a rhyme and rhythm of its own that only a dentist can understand. If the standards are set by one group and aren't open to scrutiny by their peers, we could wind up with something

which looks very good, but which, in fact, is not good.

Hon. Mr. Timbrell: That is fair. But I think, though, in the process it has been distributed to a number of groups and organizations. A number of the boards of health, as I mentioned before, have held public discussions on it. The boards, of course, by and large have a predominance of lay people, so there is a lay input in the reactions.

Mr. Breagh: My concern, if I can summarize it, is basically this. I would be unhappy if after all of this paper-gathering and meetings and so on, the local dentists take a look at this and say that the whole thing is a sham because your standards are all wrong. It strikes me it would not be a clever move on anyone's part to let it get this far until you had that professional acknowledgement—outside of the one little peer group—of whether your standards are right, wrong, good enough, not good enough or whatever.

You are assuring me that you are now going to get that kind of comment.

Dr. Suttie: May I reply? I think this is an important thought.

In many areas of health care it is extremely difficult to determine what you have got for your dollar and what difference it actually makes to the health status of an individual. Dentistry supplies us, and has supplied us over the past 10 years, with some monitoring process with a physical, unequivocal measurement, and that is the measurement of "significant improvement." Lovely words.

Gentlemen, let me give you figures and dates and age groups. There is a certain ratio for the number of decayed, extracted and filled teeth for a child and I will let the dentists get into the details of this ratio, if you like. But listen to the figures:

For age five, 1972 compared with 1978—a mere six-year period—the rate 2.64 has gone down to 1.96; for age seven, 4.88 is down to 3.93; for age nine, 6.23 to 4.91; for age 11, 2.9 to 2.38; for age 13, 5.42 to 3.85—in every case in a short period, as a result of the operation of these standards. Practical, measurable, documented evidence of significant improvement. That, more than anybody's opinion, represents achievement in fact, and I think we have to put that in the balance.

Mr. Breagh: Okay. I would like to go over some of the numbers you put out in this report, because I find them interesting. At the same time, they evoke some questions.

On page 32 of your document you make some attempt at cost effectiveness. Let me just quote one little section of the report.

Under "Cost Effectiveness" you say, "Few public health preventive dental measures are as cost effective" and here I believe you are talking solely of fluoridation. For every dollar you spend on that, "for males, aged 15, you save \$16.61 in treatment and for females, aged 15, every dollar saves \$15.30 in treatment."

I admire the numbers and I find them impressive. Where did you get them?

Dr. Kawall: These are based, I think, on a study done in Ann Arbor, Michigan, where they documented very carefully the process of cost effectiveness on many of these preventive dental programs. Ontario itself has not done this effectively as an exercise. We are quoting the figures that have been used already. What they show is the number of cavities that would be prevented by using a fluoridated water system.

Mr. Breagh: So the source of your information is one study that was done elsewhere.

Dr. Kawall: I believe there were a number of studies put together at this workshop at Ann Arbor about two or three years ago. I am not sure of the date.

5 p.m.

Mr. Breagh: Now this bothers me a little bit. I find the statistics impressive, but I would like to have the comfort of knowing that they are reasonably accurate. Did any of your staff participate in those studies?

Dr. Kawall: I personally did not. I believe there was representation from the University of Toronto dental faculty.

Mr. Breagh: But you are not sure?

Dr. Kawall: I was not there.

Mr. Breagh: I hate to do this, but how comfortable do you feel using numbers like that from a study that you did not participate in and when you are not sure who was there? How did you get these numbers?

Dr. Kawall: They were published in a report from the workshop.

Mr. Breagh: What kind of a report?

Dr. Kawall: It was a document put out by the workshop as to the cost effectiveness of all of these preventive programs.

Mr. Breagh: Excuse me for saying so, but who the hell put it out?

Dr. Kawall: The participants at the workshop who were, I would have to say, the leading dental scientists in the United States—people who have been in the field of public health dentistry for many years.

Mr. Breagh: That is a comforting thought. But who are they?

Dr. Kawall: There was Dr. Brian Burt—that is one of the names which comes to mind—Dr. Striffler—

Mr. Breagh: To summarize, you have quoted the numbers which I really find are all very nice, especially when you get into the extrapolations, near the bottom, that for men aged 75, if you spend a dollar you save \$66.44. However, it would be comforting to know that your staff, in using these numbers, had either participated in that study or had found subsequent studies of the same nature; that in some way they had verified the accuracy of these numbers.

I do find it a little surprising that you did not participate, that you are not sure who was there or whose these results were. I would think that if you were going to use them, and I certainly would encourage you to use them, I would just like to know—

Dr. Kawall: This information could be provided, Mr. Breagh.

Dr. Suttie: Mr. Chairman, may I again put this in perspective?

If everyone in the health care system delivering service decided that he or she had to validate every particular estimate or study, there would be no service delivered. That is point one.

Point two, the health care system operates on the basis of scientific publications by researchers who have been appointed because of their qualifications and track record. They expose their methodologies in scientific journals to criticism by their peers.

That is the way research advances, and that is the way research is pursued. These figures are in advance, quite frankly, of much that is done in many of the social sciences, community or health sciences, whatever, because they do lend themselves to costing particularly well.

Where you have, for example, a finite product or a finite failure—namely, a filled tooth or a missing tooth—and you know the cost per item of service to put it right, then you are on much more confident ground for saying, "This looks like . . ." I think these are some of the better cost estimates you are ever likely to get with the state of the art being what it is at this point.

Ann Arbor, Michigan, is a shrine for many health researchers who go there. They have a reputation. They have to submit to the idea of publishing in a journal where Dr. Kawall had access to such figures. The journal itself has extremely high standards of probity and is distributed, for attack or defence, among the health research community. It is the only practical, and the long-established practical

way, really, of testing new knowledge and exposing new knowledge to criticism.

So I think, with all due respect, sir, to fault Dr. Kawall or ministry staff for not having personally been involved, when it is something one would not normally expect—

Mr. Breagh: I admit I am being a bit of a devil's advocate here this afternoon, and I do support the numbers you have come up with, but just from a straight empirical research point of view, I find it somewhat suspect, faulting or otherwise.

For example, the use of these statistics is not qualified, and you are not saying there once was a study at a workshop at Ann Arbor, which you indicated here. You are using figures very bluntly and you are making an argument, one which I adhere to by the way, but nonetheless from a straight research point of view.

All of us can find somewhere in the world someone who has done a workshop or a study, who has eminent qualifications. That does not necessarily mean it is right. It strikes me as a rather odd business that you would print it without the qualifications.

Just from an empirical research point of view, if I were researching this or anything else, I would want to know who participated in it, when it was published, and were there other collaborations or denials put forward. The fact that something is published in an eminent medical journal does not necessarily make it true. That is part of the process as well.

Hon. Mr. Timbrell: May I make a point about draftsmanship? There should have been footnotes but in the back there is an extensive bibliography and references. I am not sure whether this is part of that list or not. There are qualifying words like "estimated" and "probably," but notwithstanding that, I am not sure whether this is one of the ones listed in the bibliography or references.

Dr. Kawall: It does not appear to be there.

Hon. Mr. Timbrell: You are right. It should just—

Mr. Breagh: This is what you might call a little loose. It could be tightened up.

You have another estimation on page 43: the cost per student for 12 years would be \$8.88.

Could you just clarify in my mind what you mean by that statement? You are showing cost estimates of the program itself. Do you mean you should run this program for 12 years for \$8.88?

Dr. Kawall: Per student, yes.

Mr. Breagh: Over a 12-year period?

Dr. Kawall: This is dental health education lessons in the classroom where the dental health educator is addressing a class rather than an individual.

Mr. Breagh: And you could do that for 12 years for \$8.88 per student?

Dr. Kawall: This is the estimate we came up with. That is right.

Mr. Breagh: And to be cost effective here, this program would have to prevent 0.5 cavities per child? What is the basis of that?

Dr. Kawall: This again is based on the workshop statistics that were put out in that Michigan study.

Mr. Breagh: My problem is not in using that as a piece of research. My problem is when you get into the extrapolations off that. I really think you are stretching, to be polite about it, when you get into those extrapolations off one piece of research like that. Precisely what was the nature of making this cost estimate? What analysis did you do, and how do you justify this particular statement?

Dr. Kawall: We did not do an analysis on the dental health education estimates. We used the figures that were put out by the Ann Arbor, Michigan, workshop on preventive dental programs. This is one of the estimates that workshop provided as a result of their meeting. We did not do this ourselves.

Mr. Breagh: To be specific, do you know the basis upon which they made this statement?

Dr. Kawall: I do not. I would have to assume it was on this research project based on the provision of dental health education lessons to a classroom. I can provide that report for you, Mr. Breagh.

Mr. Breagh: Okay. Do you know in your own mind, do you have any foggy notion what they costed out 0.5 cavities per child to be? What are they talking about?

Dr. Kawall: No, I do not know. Point five of a cavity can depend on the type of cavity they were referring to, but I think this was just a general assumption as to what the education process could save—0.5 of a cavity. Also it could depend on what a filling costs.

5:10 p.m.

Mr. Breagh: I have to admit the thing doesn't hang together, if you are saying you can run this whole program for 12 years for a kid for \$8.88 and to be cost effective you only have to save half a cavity per child.

The last time my kid went to a dentist and got a tooth filled, it didn't cost me any \$17. To get a look at Murphy the Molar in the dentist's office cost me \$17. If you actually see the dentist himself, and then have him conduct the laying on of hands, you are into a hell of a lot more than \$17. Now what's the basis of the statement? Or is there any?

Dr. Kawall: Don't forget, Mr. Breaugh, we are looking here at a group exercise where one dental health educator is providing the dental health lessons to 30 or 35 children, whatever the classroom consists of. And by the process of educating the children, they would take these measures to provide for their personal oral hygiene program and so reduce the occurrence of dental decay. This is the thinking behind the provision of dental health lessons.

Mr. Breaugh: This is my problem. You talk about cost effectiveness—to be cost effective, this program would only have to prevent half a cavity per child. Is that in the child's lifetime? Is that in one year?

You are talking about cost effectiveness here, so you must have a dollar amount in mind. What is the dollar amount?

Dr. Kawall: The dollar amount would be whatever the going rate is for one filling.

Mr. Breaugh: Okay, what is it?

Dr. Kawall: We might be looking at—

Mr. Breaugh: How do you make an estimate of cost effectiveness when you don't know the cost?

Dr. Kawall: A simple filling would probably run at about \$17. I have not seen the Ontario Dental Association fee schedule myself but I think it would be an average of \$17 for a simple, one surface filling.

Mr. Breaugh: Well again, I find the answer a little bothersome. Let me move on.

You had a number of really interesting statistics which were quoted in here and I hope we are on a little firmer ground. It's in the latter part, the report of the task force on community dental services.

Could you elaborate? Do you know who these people are? Who is the task force on community dental services?

Dr. Kawall: The members of that task force—and this task force report was put out in 1974—

Mr. Breaugh: Where was it put out and who participated?

Dr. Kawall: This was a ministry task force report.

Mr. Breaugh: So this is one of your own? Your staff did participate in this?

Dr. Kawall: There was Dr. D'Arcy Atkins, consultant on dentistry, Ontario Ministry of Community and Social Services; Mr. David Burton, public health education, from the Ontario Ministry of Health; Dorothy Chisholm, public health nurse, health promotion branch, Ontario Ministry of Health; Jean King, public health nutrition, health promotion branch; Dr. James Leake, dental director, Middlesex-London District Health Unit; and Dr. Ken Ryan, public health dentistry, Ministry of Health.

There were a number of resource persons as well who were called on at the time, and there are another seven names, if you would like me to list those.

Mr. Breaugh: No, I'm not really interested in the individuals, but let me get this clear. These were ministry personnel; the data—the report is 1974?

Dr. Kawall: It was 1974.

Mr. Breaugh: What's the source of the data? Where did you get the information?

Dr. Kawall: This was gleaned from our own Ontario Ministry of Health dental survey that we conducted.

Mr. Breaugh: Would you describe for us the nature of the survey?

Dr. Kawall: The dental health survey is a biannual project in which most of the Ontario health units in this province participate, whereby statistical samples of children from several age groups are examined, and the state of dental health is recorded on a recording IBM or an OCR form. These are forwarded to the ministry for analysis by health units by subareas and there is a total printout for Ontario. This is something we are doing.

Mr. Breaugh: Right. What is the size of your survey?

Dr. Kawall: We are covering, and this is the recommended statistical sampling, 200 children in odd age groups taking every seventh child. This is the statistical sampling procedure.

Mr. Breaugh: So in essence, you are using a random survey?

Dr. Kawall: A very random sample, right.

Mr. Breaugh: The latest statistics you have gathered from that was in 1974?

Dr. Kawall: No, the latest was—

Mr. Breaugh: Do you have an update on these?

Dr. Kawall: Yes. The latest statistics would appear in the core program report on page 18.

Mr. Breagh: What is the date of the latest statistics?

Dr. Kawall: That would have been for 1978.

Mr. Breagh: Is there any reason why you did not use those 1978 statistics, as opposed to the 1974 report?

Dr. Kawall: Actually that was appended in this core program report as a document we had consulted. But the latest statistics do actually appear on page 18.

Mr. Breagh: Okay. What is the basis for saying 75 per cent of decayed teeth in three-year old children are not filled? How do you know that?

Dr. Kawall: That is what we have determined from our statistical survey.

Mr. Breagh: Which one?

Dr. Kawall: The one for 1974. That is the one you are looking at.

Mr. Breagh: Why didn't you use the 1978 statistics?

Dr. Kawall: This document, as I repeat, was only appended as being a document we saw to. We have on page 18: 29 per cent indicated in five-year-old children are not filled; 28 per cent indicated in seven-year-old children are not filled, et cetera.

Mr. Breagh: What would you say the statistics are in that regard—the latest, most accurate set of statistics you have on that?

Dr. Kawall: We are currently doing an analysis. We do it every two years, and there is one due in 1980. We expect to see some improvement.

Mr. Breagh: Let me rephrase the question. In 1978 from the statistics that you did, have you found a substantial change from the 1974 survey results?

Dr. Kawall: There is some improvement, yes.

Mr. Breagh: What does that mean specifically?

Dr. Kawall: Let us look at the ages we can compare. In the 1974 report it says 60 per cent of decayed teeth in seven-year-old children are not filled. In 1978 we have 28 per cent of the decayed teeth in seven-year-old children not filled. Likewise, in the case of 13-year-old children, in the 1974 report we have 44 per cent of decayed teeth, and in the core program committee report we have recorded 14 per cent.

Mr. Breagh: So there has been a dramatic change in the statistics in that four-year period?

Dr. Kawall: In some age groups in this four-year period.

Mr. Breagh: Do you have any indication of what they will look like in 1980?

Dr. Kawall: No, I have not. We have not yet done that analysis.

Mr. Breagh: But at least, in this instance, you are relatively clear on precisely what you are measuring and how you are measuring it.

Dr. Kawall: We are.

Mr. Breagh: Are you reasonably happy with the notion that your sampling is representative?

Dr. Kawall: Yes.

Mr. Breagh: What is the basis of that?

Dr. Kawall: This is an accepted principle of statistical sampling. It is recommended by the faculty of dentistry. This is what our dental directors are doing.

Mr. Breagh: Is that not a rather small number of people to be included in a survey?

Dr. Kawall: Not when you do it on a random basis, when you are taking every seventh child in these age groups.

Mr. Breagh: But it still strikes me from any research point of view that is an extremely small number of people and it would be—

Dr. Kawall: Not in statistical analyses. No, this has been proved. Whether you do the whole class or take a sample on this basis, they come out with the same results. This is why we have confined ourselves—

Mr. Breagh: Who said that? Who says that is so?

Dr. Kawall: This has been proved time and time again.

Mr. Breagh: By whom?

Dr. Kawall: I have not done this. My knowledge is such—

5:20 p.m.

Mr. Breagh: It is just that I have a natural suspicion of the gathering of statistics and how it is done. In my reading of reports of various kinds, when you get into that small a sample, however random and however you work it around, it is dangerous then to extrapolate statistics from that small a base. While it might serve the purposes in a number of ways, when you are attempting to assess how effective dental care really is and what the current status of public health is

regarding teeth, you are using a really small sample.

Dr. Kawall: This has never been my understanding. Provided we follow the set pattern of sampling the child population on this basis, a 200 sample in each age group would provide the same results as if we had done that entire school or that entire class.

Mr. Breaugh: Yes. Again, I have some difficulty with your research on that.

I want to move fairly quickly through some of the other recommendations you have put in here. Excuse me, but I am using a loose-leaf form here, and so there is a little difficulty with the numbering of the pages. It is marked page three and it is following this report of the task force on community dental services.

Identifying, for example, the northern Ontario public health service, there are five mobile dental clinics and it goes through that—this is from 1974. So the update is you now have 10 of them. Have you done much of an analysis of how successful that program is? How many people are reached?

Dr. Kawall: I wonder if Dr. Ryan would care to answer that.

Mr. Breaugh: Could we just get a quick update on the northern Ontario public health service, the mobile dental clinics? What kind of an analysis has been done about how effective they are; how many people they see; what kind of care is provided; who gets served?

Dr. Ryan: We have 10 mobile dental coaches at present geographically located in 10 areas. We are serving pre-school and elementary-school-aged children only. I have a monthly report sent in by each of the dentists of the 10 coaches as to the quantity of work being provided.

We are caring for roughly 700 children a year from each of the 10 coaches, roughly 7,000 children in these remote areas of the province.

Mr. Breaugh: Have we done an analysis—pardon me for saying so—of a kind of cost effectiveness? What have you done to attempt to analyse whether that is a successful program and provides good care? What analysis has been done in that regard? Because this program has been in place now for—how many years?

Dr. Ryan: It started with one dental railway car in 1931.

Mr. Breaugh: Have you done an analysis of any kind to try to get some concept of whether or not good dental care is being provided for a lot of people?

Dr. Ryan: Not specifically a definite analysis, no. We know approximately what the cost per child is each year, roughly \$100.

Mr. Breaugh: So the cost of the program is about \$100 per child and what kind of services do these children receive for that?

Dr. Ryan: They are receiving all preventive services: Examination; radiographs; dental prophylaxis; topical fluorides; all the necessary restorative with fillings; extractions; space maintainers; and minor orthodontic duties, nothing elaborate; nothing sophisticated in the orthodontic side of things.

Mr. Breaugh: In the cost factor, what is the largest single piece of business you have to deal with? Why does it cost \$100 a child?

Dr. Ryan: Their needs are great. Each child, on the average, will need three to four fillings and about one extraction. Then, as I say, the necessary preventive services—the cost figure we put to it represents time more than anything else.

Mr. Breaugh: Does that \$100 a child take into account travel costs and clinical costs?

Dr. Ryan: Yes.

Mr. Breaugh: Is there a major cost in there for travel?

Dr. Ryan: No. Travel is minimal. The major cost is the salaries for the dentist and the dental assistant.

Mr. Breaugh: The report talks about the concern for the lack of dental care for geriatric and for physically and mentally handicapped persons in the community. Has that changed substantially since 1974? I know you have a study on that and you include it in the comments about geriatric dental care.

Dr. Kawall: I think it still was a concern of the core program committee that services were not being provided for this segment of the population. A number of the health units are now getting into a geriatric program. What the core program committee was striving to achieve was to establish a minimum level that all the health units would participate in and provide service for this group in our society.

Mr. Breaugh: There is a variety of legislation through which people can get some kind of dental care. Have you done a costing of how much money is spent to provide dental care under various pieces of legislation? You went through them here: Homes for the Aged and Rest Homes Act; Homes for Special Care Act, Charitable Institutions Act; Family Benefits Act, General Welfare Assistance Act.

Dr. Kawall: I have not.

Mr. Breagh: Is there any reason why you did not attempt to get some costing on that; on how much money we now spend to provide dental care?

Dr. Kawall: You are referring to the 1974 task force report, aren't you?

Mr. Breagh: Yes, but those acts are still in existence and those tax dollars are still spent now. Do we know how much money we spend on dental care through all of these pieces of legislation?

Dr. Kawall: I am sure the information could be provided.

Mr. Breagh: Is there any reason why you did not attempt to get that and to include it in this report? It would seem to me to be a very logical thing to do. You would want to know how many tax dollars in Ontario now go into the provision of dental care. Did your committee attempt to get such numbers?

Dr. Kawall: No, we did not.

Mr. Breagh: Is there any reason why you did not attempt to get those numbers?

Dr. Kawall: I did pursue it for one program, the homes for special care, but I was unable to obtain any information on that particular segment. A number of the other programs are administered by the Ministry of Community and Social Services into which we have no input.

Mr. Breagh: Why could you not get the information?

Dr. Kawall: We were not paying any regard to this 1974 task force report. We appended it as a document that we referred to in updating our core program committee report. I did not participate in the preparation of this 1974 task force report.

Mr. Breagh: But in the preparation of the submission which you have put together in this, not official but final copy of your report, surely you must have attempted to get some concept of how much money the province spent through different pieces of legislation in 1978 or 1979; how many tax dollars we spent on the provision of dental care.

Dr. Kawall: I have the information as it relates to the health units, the programs we are intimately involved in, and the mobile dental coach program; those are the programs we have.

Mr. Breagh: Is it possible to get information of the kind I am looking for?

Dr. Kawall: Yes, I believe that information could be provided.

Mr. Breagh: I would appreciate getting that.

I want to spend a little time going over some of the staffing patterns. Could you just quickly run through what you mean by staffing patterns for the standard?

Again, we are back to the initial problem that if you set a standard and then staff according to that standard—for example, if I am looking at this chart correctly, in Ottawa-Carleton there is one dental director. Would you explain then a little more what you mean by preventive staff? And you are going from level one to 4.5; who would that be?

Dr. Ryan: It is explained, sir, on the page opposite. Page eight. One level one auxiliary per 100,000 meant the numbers of personnel per numbers of population.

Mr. Breagh: Who would that person be?

Dr. Ryan: A level one auxiliary? A level one auxiliary is a clerk recorder, dental assistant or equivalent.

Mr. Breagh: We are running out of time. I want to leave some of this. What comparative studies did you do in the preparation of this report, for example, other Canadian jurisdictions, Saskatchewan, and so on?

Dr. Kawall: We did not address the Saskatchewan dental plan for the reason that the committee was looking at preventive dental programs. However, having established or recommended six levels of preventive services, the committee felt there was a gap currently in the Ontario services which perhaps they should look at.

They did recommend to the ministry an add-on component of a treatment service, but to be limited, as the committee recommended to the ministry, to pre-school and elementary school children of working poor families. This is the group the committee felt did not have access to, or perhaps financially was unable to get, their dental care. Those were the only narrow limits within which we address a treatment element.

Mr. Breagh: Did you look at other Canadian jurisdictions? Did you do any comparative studies at all?

Dr. Kawall: We have looked at the Saskatchewan dental plan, yes.

Mr. Breagh: Your proposal is quite a piece away from that.

Dr. Kawall: Yes, it certainly is.

Mr. Breagh: Did you look at Canadian jurisdictions other than Saskatchewan then?

Dr. Kawall: I think the members of our group were very well acquainted with what

some of the other provinces are doing in the way of preventive dental care. In that respect, I think Ontario is streets ahead of many of the other provinces in providing these services.

Mr. Breagh: Is anything like a Canadian standard evolving?

Dr. Kawall: Not to my knowledge; I do not have a Canadian standard.

Mr. Breagh: One final question: Do you feel if this report were adopted in its present state, anyone in Ontario would actually notice a change in the program or services provided?

Dr. Kawall: Yes. I think there would be a visible effect in showing that we were providing services to children essentially. This is the main thrust of the recommendation. As a spinoff, the benefits will be evident in the children visiting the dentist less; the cost

of dental care will be less to the parents. They will see a very visible effect.

Bear in mind that preventive programs would take a fairly long time to show their benefits. It is not as if you have a cavity and you go to the dentist and get it filled. We have to be working on topical flouride or a fluoride mouth-rinse program over a year to show definite results.

I would say yes, there would be a visible effect of the program.

Mr. Breagh: Okay. I will leave you alone. Thank you.

Mr. Chairman: Does anyone have any further questions? Shall vote 3203 carry?

Vote 3203 agreed to.

Mr. Chairman: This completes the estimates of the Ministry of Health.

The committee adjourned at 5:34 p.m.

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From the Ministry of Health:

Kawall, Dr. K., Senior Consultant, Public Health Dentistry, Public Health Branch

Martin, Dr. G. K., Executive Director, Health Programs Division

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Suttie, Dr. B., Assistant Deputy Minister, Community Health Services



No. S-25

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development
Estimates, Provincial Secretariat for Social Development

Fourth Session, 31st Parliament
Monday, June 16, 1980

Speaker: Honourable John E. Stokes
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

MONDAY, JUNE 16, 1980

The committee met at 3:37 p.m. in committee room No. 1.

ESTIMATES, PROVINCIAL SECRETARIAT FOR SOCIAL DEVELOPMENT

Mr. Chairman: I call the committee to order. We are dealing with the estimates of the Provincial Secretariat for Social Development. I believe the minister has an opening statement.

Hon. Mrs. Birch: It is very short, Mr. Chairman, but I am pleased to present the 1980-81 spending estimates of the Provincial Secretariat for Social Development.

As you know, it is only six months since I last met with you and at that time I dealt with the activities of the secretariat in some depth. I thought perhaps it would be more appropriate on this occasion if I were to concentrate on a few specific areas of our work.

Before I do, however, perhaps I could remind you briefly of the scope of our activities. The include:

Analysis of the policies proposed by the ministries in our field for consideration at cabinet committee for social development;

Co-ordination of issues that overlap the boundaries of the ministries in our field, and in some instances of those that also cross into other policy fields, for example, children's services;

The Ontario Youth Secretariat, which this year expanded its career week activity on the importance of career planning for young people—career week will take place in November and the youth secretariat is actively encouraging school and community participation;

The three advisory councils which report to me—the Ontario Advisory Council on the Physically Handicapped, the Ontario Advisory Council on Senior Citizens and the Ontario Status of Women Council. Later this summer, all three councils will be publishing their annual reports, with their recommendations to me.

Besides these general activities, we act as a focal point for co-ordination of government

policies and programs that cross many ministries; particularly co-ordination of rehabilitation services, and this year, the International Year for Disabled Persons.

Then there is our review of the family as a focus for social policy and our co-ordination of the implementation of the government's policy on group homes.

Today I would like to bring you up to date on these particular activities.

The co-ordination of policy planning for rehabilitation services is carried out by our provincial co-ordinator, Mr. Robert Waterhouse, and his team of co-ordinators from 10 ministries and the Workmen's Compensation Board. Their activities, which I described at last estimates, are continuing and I am pleased to advise that the co-ordinator has recently been allocated additional staff so the team can more effectively carry out its responsibilities.

3:40 p.m.

The staff will be developing and maintaining an inventory of rehabilitation programs, services and facilities and they will assist ministries in developing public information programs and outreach services. Also, of course, they will continue to relate extensively with agencies or associations representing the disabled and will continue their individual case advocacy, which has proven to be of great value in working with cases requiring co-ordination.

With the additional staff, the rehabilitation co-ordinator will have the resources to examine, in depth, those particular issues requiring investigation, review and recommendations to improve the services available to disabled persons in Ontario.

As you know, 1981 is International Year for Disabled Persons. My secretariat has been directed to provide the co-ordination of provincial government programs for IYDP.

Mr. William Thorsteinson has recently joined us as a co-ordinator of International Year for Disabled Persons. He is chairing an interministerial committee which is co-ordinating the development of individual ministry plans, as well as an overall govern-

ment approach to the year. The committee is now reviewing initiatives which might be undertaken during 1981.

Generally, our programs and activities for the year will be designed to create a public awareness and understanding of the abilities, rather than the disabilities, of handicapped persons. We will be concerned with educating the public on the needs of preventing developmental and physical disabilities and will attempt to encourage the drive within the disabled community to reach their goals of self-care and independence.

We will also be concerned with enhancing employment-related services and employment opportunities, both within the government and the private sector; in improving access to both public and private facilities, transportation services and housing; and in providing educational and training opportunities, as well as cultural and recreational opportunities.

I would like to report on our public consultation on the state of family life in Ontario. As I indicated to you in 1979, we have undertaken this consultation with a view to considering appropriate changes that will enable us to focus our social policies on the family. We have held a series of regional conferences and have just completed this part of the process this past weekend with our conference for northeastern Ontario in North Bay.

More than 1,200 people, both professional and nonprofessional, have attended the four regional conferences, which included Thunder Bay, London and Kingston, as well as the earlier one held in Toronto in September.

A number of important issues have been raised at these conferences. For example, we heard people express a need for more individual and family responsibility in solving family problems. There appears to be a general desire for a reduction in the involvement in family life by government and its statutory agencies. That I find encouraging, as I am sure you do.

I have been particularly impressed by the views of the children who participated in a workshop at our conference in Thunder Bay. They told us, and I quote: "One parent should be at home when the kids are there, unless there is a serious financial problem"; that "children should be in closer touch with their grandparents"; and they also said that "parents should not work too hard or make work too important"—good advice for everyone, but perhaps especially pertinent to us as politicians.

I think the children told us better than anyone else that no amount of money or programs is going to solve family problems if parents are absent. Obviously there are always going to be families that will require help and assistance but, in the views of some of the individuals we have heard from, government and its agencies must not intervene to the extent that they undermine the family's will to remain independent.

Our workshops have examined a range of issues related to concerns of handicapped people, the effect of financial and economic problems on the family, the law as a help or hindrance to the family unit, the needs of the elderly in the community and many others.

At all our conferences we have encouraged the development of local seminars and discussion groups so that we may gain a broader perspective of the view, and suggestions of people across Ontario.

Our newsletter, *Families*, is receiving a very positive and favourable response from people who are interested in keeping up to date on significant developments on family issues. We print and distribute 12,000 English copies and another 2,500 in French.

We have with us today the English version, third edition, our summer issue, hot off the press; the French version will be available next week. I am happy to provide these for all members.

I would like now to tell you briefly about the progress we are making in implementing the government's policy in group homes.

Our work in this area is an example of the type of lead role the secretariat plays in the implementation of a policy which affects a number of ministries.

It is also, I believe, an example of the secretariat's unique ability to interact with special segments of the public affected by such a policy. By having a provincial co-ordinator within the Provincial Secretariat for Social Development we have been able to make direct contact with municipal officials and planners, with ratepayers and community groups and others who are interested in the implementation of this policy within their own municipalities.

As you are aware, the provincial policy on group homes is to encourage municipalities to permit the establishment of group homes in all residential areas by appropriate changes to the official plan and zoning bylaws.

Our provincial group homes co-ordinator, Mrs. Jill Hutcheon, assists municipalities in developing appropriate bylaws and provides provincial representation at public meetings.

Over the past nine months the number of contacts that have been made by Mrs. Hutcheon and the response of those with whom she has been dealing has convinced me that we are providing a service which is greatly needed by the municipalities.

By that I mean the provision of information relating to group homes so that municipalities can make informed decisions. Mrs. Hutcheon is building up an understanding of the provincial position and ensuring that the intent of the policy is met.

I would like to give you an example of the type of contact that Mrs. Hutcheon has been making.

Just a few weeks ago, she was in Ottawa to make a presentation to a planning board meeting chaired by the mayor. Prior to this meeting, she worked with the planning staff to ensure that their questions and concerns were answered and she also worked with the social planning council and community agencies.

At the public meeting more than 200 people were in attendance. It was apparent that the public is understanding more and is increasingly supportive as it is made aware of the government's policy, of how group homes operate and the standards which apply to them, and of the assurances that the province is giving to municipalities for the orderly, controlled development of group homes. The Ottawa planning board is expected to make its decision soon.

While in Ottawa, Mrs. Hutcheon also visited the community of Renfrew, which is at an earlier stage of examining the policy, and arranged to work closely with members of the planning board as they proceed to discuss this issue with their constituency. Meetings such as these provide an opportunity to work through the problems and concerns of the community and help to alleviate the fear of the unknown which is often the basis of opposition to the idea of group homes.

As part of the education program we are now initiating contacts with local church groups and service clubs in municipalities, recognizing that they play an important role in supporting community interests.

Mrs. Hutcheon has met recently with the borough of Scarborough which, as you know, only allows group homes for the mentally retarded in that municipality. However, I am pleased to tell you that late last week the planning board unanimously supported a group home policy and its recommendation will now proceed to the full council. East York has developed a proposal for group homes which reflects the provincial

policy and will be taking this proposal to the public in two weeks, and Brampton has just held a public meeting and we expect a decision shortly.

A number of other municipalities have recently initiated contact with our provincial group homes co-ordinator, such as London, Goderich, Oshawa, Nepean, Kitchener, Mississauga and Brantford and these contracts are now being followed up.

As I indicated to you at our last meeting, I acknowledge that our policy of encouragement, which does require contact with municipalities on an individual basis, takes time. However, it is essential, in my view, to allow all interested members of the public the opportunity to learn about group homes and to come to a responsible decision which will respond to the needs of citizens in their own communities.

3:50 p.m.

Our job is immense because we have a wide range of publics to reach, from council members to officials and planning staffs, to the actual neighbours of the proposed group homes. However, I am convinced from the response we are now receiving from our efforts that we have chosen the sensible route to implementing this policy throughout the province.

The audio-visual presentation developed by the Ministry of Community and Social Services and the booklet entitled *Coming Together* have assisted us with our public education efforts. But the real impact, I believe, is made by the personal contact of our staff with municipalities.

We would be very happy to show the audio-visual presentation to the members of the committee if they so desire.

That concludes my opening remarks. I would be very pleased to answer any questions you may have on any of our activities.

Mr. Chairman: We will deal with the minister's offer to have the audio-visual presentation after we complete the opening remarks. I can ask the critics what they wish to do in that respect.

Mr. Sweeney: I apologize to the minister. I am sorry I stepped out for a few minutes. The minister can probably surmise that it had to do with Daniel Hill's Study of Mind Development Groups, Sects and Cults in Ontario. To say that I am a little disappointed and a little frustrated as to where we go from here would be putting it mildly.

Hon. Mrs. Birch: Surely you have not had a chance to read it yet.

Mr. Sweeney: Yes.

Anyway, Madam Minister, I want to pick up your opening comment that it has been a very short time since we met and went over a number of important issues. I am not going to have a long opening statement either. There are a number of issues I would like to raise with you at this time and would ask that you make some response to them.

The first is one that was first raised in this committee about a year and a half to almost two years ago now, I believe. That is the whole question of sterilization of the retarded. The minister will recall that very touchy issue was opened up when the information that had been released by Dr. Zarfas was presented to this committee and we had an opportunity to discuss, even for a short time, some of the implications of it.

Since that time the Minister of Health (Mr. Timbrell) has prohibited that practice for those in our population, I believe under the age of 16, where there is no medical or clear health reason for the action taking place. Subsequent to that there has been a draft proposal of medical consent legislation.

I am sure the minister is as well aware as her colleague, the Minister of Health, that there has been considerable public reaction to some of the implications in the proposed medical consent legislation, of which the question of sterilization for the retarded was but one part.

What I would like the minister to comment on at some time is where she sees that entire issue going. I am sure the minister is aware that the federal government, through the Law Reform Commission of Canada, has been dealing with these issues as well and has released position papers on them, both on the question of medical consent and informed consent, which was an issue that had been raised under another topic completely at an earlier date, and this whole question of sterilizing the retarded.

Given that this is the policy field of the government, it would seem logical to me that at least some of the liaison and discussions between the federal government's position on some of these issues and the provincial government's position on some of these issues would pass through your policy secretariat. I appreciate that if it is a specific issue the particular policy minister would also deal with it, but it would be of interest to me, Madam Minister, to know the way in which overall government policy in a field like this is handled with respect to liaison

between the federal government and this provincial government.

A second issue deals with a perennial question—and I put that preface on it because I am sure the minister is going to say, "Not again"; but, nevertheless, it is a question I fear is simply going to come up every single year and several times during the year. Both critics for the Ministry of Community and Social Services have raised it in the Legislature on a number of occasions and I am sure they will continue to do so. That is the whole question of reducing family benefits at the provincial level at the time when the federal government gives a cost of living increase.

Madam Minister, I bring it up in your policy area because once again it occurs to me that this is a general government policy decision. It is also my understanding that the only way it is going to be resolved is if the two levels of government, federal and provincial, are able to come to some agreement as to how to handle this issue. I can understand that. My concern and the concern of my colleagues in both opposition parties who are directly involved with criticism in this area is that in the meantime, and for quite a long period of time, the family benefits recipients themselves are the ones who are suffering the consequences of this action.

I have to say in as frank a way as I possibly can that we surely have reached the time when we cannot put this off any longer. There has to be some firm decision made. I have to repeat what I myself have said and what my colleagues have said over and over again. It does not make any sense whatsoever to us that the federal government, on the one hand, would deem it necessary to give a cost of living increase because the living costs of the recipient have gone up, like the costs of all of us, and then, because of a policy agreement—which frankly I do not understand and have never had explained to my satisfaction—between the two levels of government, what the federal government gives with the right hand the provincial government takes away with the left hand.

I have heard over and over again, "That is just the way it is." Quite frankly, that is just not good enough any longer. If you cannot give me any specific government decision at this time, could you please give me some indication as to what action is being taken in this direction? I have to believe, Madam Minister, that you yourself cannot accept the logic of this, that a family benefits recipient whose cost of living has gone up eight, nine or 10 per cent, whatever it is, and whose increase has been recognized by one level

of government, has it simply stripped away by the other.

I am sure you must have heard ad nauseam from members of the Legislature who have been confronted by their own constituents who have experienced this, and who ask you or your colleague, the Minister of Community and Social Services (Mr. Norton): "How do I possibly answer this person? How do I give him an answer that makes any sense whatever?"

Could you please indicate to me and to the committee as a whole what action is being taken on this? At the same time—and I suspect you cannot answer one without the other—could you give us any indication whatever as to what the present developments are of a federal-provincial agreement with respect to the whole policy field, which had been set aside for, I believe, a good year and a half now?

I am not saying who is to blame or who is at fault. I do not think any of that does us much good. All I am asking is, could you please tell us what if any action has taken place over the last six months and what action you anticipate might be taking place? What recommendations is your ministry, as part of the policy field, requesting along with your colleagues in the federal government? What are the problems in terms of the federal government's view of the entire issue and when do you see the thing going some place from where we are at the present time?

4 p.m.

That is the second major issue I would like you to address yourself to. The third major issue is the whole question of youth problems. I know, and you have explained to us once again, that the youth secretariat is part of your policy field. I know that there are many ministries of government that deal with youth in different ways. There are the ministries of Education, Health, Community and Social Services—Correctional Services in some ways—and so on.

The problems facing young people today, the problems we hear and read about almost on a daily basis, the problems being brought to our attention from the schools, from social workers and from parents, are seemingly getting worse. In terms of the tremendous growth in violence among young people, the tremendous growth in unemployment among young people in so far as it comes under your policy heading, the tremendous—what shall I say?—turn to escape mechanisms for young people such as drugs, alcohol and things of this nature; in what way does your ministry, either in a broader sense or more

specifically through the youth secretariat, involve itself in these kinds of questions? In what way do you form a bridge or liaison between the various ministries of government that are involved with youth?

I am sure it is not necessary for me to point out to the minister that the whole growth in these very serious concerns about youth must take both her attention and the attention of many of her cabinet colleagues. The difficulty we face is that while we see some of your cabinet colleagues dealing with the issue in spotted fashion, we don't see any overall co-ordinated plan. As a matter of fact, we are not even sure that we see the evidence of an understanding that there needs to be a co-ordination of all of the activities.

You can't just deal with a juvenile offence, a learning problem, a health problem, an accommodation or housing problem, whatever the case may be; all of these things form one piece of whole cloth. Someone within government should try—and I expect it surely should be, if it isn't, part of the mandate of your policy secretariat—to pull all of these various activities together. I would appreciate hearing from the minister the extent to which her policy field is dealing with this.

There is one more overall issue, Madam Minister. I am going to leave the question of group homes to later because the minister dealt with them—not extensively, but at least she dealt with them—in her opening statement and there's a more appropriate place in the votes themselves, so I am not going to deal with them at this point. But there is another one which I brought up during the Health estimates. That is the whole question of pregnancy education, sex education in its broadest term, family life education, these kinds of points.

I'm sure the minister is once again aware that the three major ministerial fields under her policy heading—Health, Education and Social Services—are all involved in some way in this issue. I have had a number of people in my own constituency and from other parts of the province ask me the way in which all these things are being pulled together.

I know, for example, that the health units in some of our communities are involved in this question. I know that many of the school boards in our communities are involved in this question. I know that many of the problems and the social concerns which the Ministry of Community and Social Services has to respond to are involved with these issues as well.

I know, for example, that some of the health units and some of the schools are having a great deal of difficulty in getting good materials and good training programs for their staffs, whether for a public health nurse, a teacher, a case worker or whatever the case may be.

I would like to have some sense from the minister as to her awareness of this overall question, some sense as to the liaison and overall government policy decisions that are being made in this area, so that not only I but a number of my colleagues can respond more logically, productively and effectively to our constituents when this matter is brought up.

For the time being I will leave my opening remarks, and I will discuss some of the other points I have under the individual votes.

Mr. McClellan: Mr. Chairman, I have to leave for a meeting at five o'clock. No discourtesy is intended or implied; I simply have an unavoidable commitment. I may try to cover a number of points in the leadoff statement and then use whatever time I have left.

Mr. Sweeney: I have the same problem: I have to fly to Ottawa. My flight leaves at six, so I think I had better leave here close to five. Mr. Blundy is going to pick up some of my points.

Mr. Chairman: I can see we are going to have a diminishing committee.

Mr. McClellan: Let's proceed as best we can.

Mr. Sweeney: Let's go ahead anyway.

Hon. Mrs. Birch: We could change the time for viewing the film we brought. It's about 10 minutes long.

Mr. McClellan: It may be difficult to view it today. It might be something we can do tomorrow.

Mr. Sweeney: Could we do it tomorrow?

Hon. Mrs. Birch: That's fine.

Mr. McClellan: There are a couple of issues I want to touch on during the leadoff. First and foremost, I want to deal with a matter that the minister highlighted in her leadoff; that is, that 1981 is International Year for Disabled Persons.

It seems to me there is a really unique opportunity for the government of Ontario not just to give meaningful leadership but to take some meaningful action in terms of the development of new programs and new initiatives during the year of the handicapped. It is an area where action is long overdue.

I hope the year of the handicapped is not going to be another melancholy repeat of International Women's Year or the International Year of the Child. Although we had some significant legislation out of the International Year of the Child, in my opinion the net effect of the new legislation combined with the government cutbacks has been to leave us in a deficit position. We will pursue that during the estimates of the Ministry of Community and Social Services, but I cannot point to any milestones coming out of the International Year of the Child that led to concrete or significant improvements in the delivery of service.

There are six areas that I would like to suggest to the government as areas of possible initiative. If I may, I would like to go through them.

The first of these has to do with the provision of jobs. Anyone who sat through the estimates of the Workmen's Compensation Board or the estimates of the Ministry of Labour or the estimates of the Ministry of Community and Social Services will know of my party's concern about this issue over the period of time I have been a member and, indeed, before that.

We have tried to argue—certainly I have, in the five years that I have been in this House, and I know Elie Martel and Ian Deans did in the early 1970s—that there is a role in Ontario for a provincial manpower program, a unique and distinct provincial manpower program, different from the federal program. The uniqueness of its mandate would be to provide jobs, to create jobs, to help find jobs for those people who are traditionally excluded from competitive employment. That includes a number of groups, but pre-eminently it includes the physically handicapped who simply are locked out of competitive employment because they cannot compete with able-bodied men and women.

Special programs need to be designed and we need a network of integrated and co-ordinated services that, if you will, will break jobs loose, both in the public sector and, more important, in the private sector.

The only agency that can do that is government. It is not going to happen on the basis of wishing; it is not going to happen on the basis of sentiments expressed, no matter how noble these sentiments are. It will only happen if government, first of all, undertakes a serious major commitment, and then backs that up with meaningful and consequential programs.

4:10 p.m.

I noticed from the minister's leadoff statement that she is expanding her own—if I may use the word—empire with respect to services to the physically handicapped. I look on that as a decidedly mixed blessing.

At this point I think what needs to happen, first, is that some ministry in the government be given the responsibility to act as the lead ministry. Most appropriately that should be the Ministry of Labour; not the Ministry of Community and Social Services; not the Ministry of Education, which has a piece of the action; not the Provincial Secretariat for Social Development, which is now expanding its domain, but the Ministry of Labour.

I hope that whatever work you do as Provincial Secretary for Social Development leads to an eventual integration of services for the physically handicapped into one ministry. We have applauded these kinds of rationalizations in the past because we think they work. When services for the mentally retarded were consolidated in the Ministry of Community and Social Services we were able to see substantial progress made.

When services to children were placed in the children's services division of the Ministry of Community and Social Services, it at least gave the opportunity for rationalization to take place. That has not been matched by a commitment to adequate levels of funding, but at least the framework is there in terms of legislation and accountability so it would be possible to achieve progress if the government ever loosens the purse-strings sufficiently to allow that progress to happen.

At this point we still have services with respect to the physically handicapped spread and dispersed over at least five ministries, and that simply cannot continue. Once that integration takes place, once a single ministry has been designated as the ministry responsible for providing a provincial manpower service to the physically handicapped, then a number of things can happen.

We need effective affirmative action programs in the public sector so that the handicapped get their fair share of public sector jobs. More important, we need to develop quota legislation affecting the private sector.

We have argued this many times in the past, not in this committee but particularly in dealing with the Workmen's Compensation Board. We have come to that conclusion on the basis of the experience in virtually all of the countries in western Europe. All of the industrial countries in western Europe have some form of quota legislation.

I do not pretend to argue that quota legislation is a magic solution because I do not

believe it is; neither do I believe quota legislation is something that should be enforced in a punitive way in the private sector.

The significance of quota legislation is this. It says to all the people in Ontario, whether they are employers or whether they are just citizens: "We, the government of Ontario, are deadly serious about providing jobs to those who cannot compete. We are so serious that we are prepared to pass legislation that requires employers to set aside, as a bare minimum, a certain number of jobs for the physically handicapped."

In and of itself, it will not be enough. There will have to be attached to the administration of the provincial manpower program a very solid job recruitment service. That means there will have to be public education campaigns, public advertising campaigns, a major government campaign to secure private sector employment for the handicapped. There will have to be employment specialists who go out and find jobs within the private sector for the physically handicapped.

The Workmen's Compensation Board's vocational rehabilitation branch has begun to do this in a very tiny way. They are able to find perhaps 1,500 jobs a year for injured workers and to fill some of those jobs.

The model is there. We know how to go about doing it. It needs to be done on a serious and large-scale basis.

The provincial manpower program has to have attached to it a full range of employment services—job counselling, job placement, job training and retraining, and vocational counselling services—so that the services are integrated and co-ordinated. It doesn't make any sense to me or to anyone else that if I injure myself on the job I'm eligible for a retraining allowance from the Workmen's Compensation Board that is based on 75 per cent of my salary, to be precise; and if I have the misfortune to injure myself by falling down the front steps on my way to work I'm not eligible for that service, I have to go to vocational rehabilitation within the Ministry of Community and Social Services and receive an allowance based on welfare rates.

Where is the equity in that? Where is the sense that if one injures oneself on the job, one is eligible for a higher level of services and benefits than if one is born with a handicap, or if one becomes disabled because of sickness or an accident that doesn't occur on the job?

These services have to be pulled together and one level of service provided as a matter of right to each and every citizen. Let's stop

the discrimination between those who are injured on the job and those who are not. There is a major task in front of the government to rationalize the services and programs which are at the present time unco-ordinated, spread over a number of ministries, operating on a discriminatory basis between classes of citizens and operating with differing degrees of effectiveness.

There is no automatic right of service on the part of a handicapped person with respect to this most important issue of jobs. I believe the issue of jobs ought to be the cornerstone of your policy with respect to the handicapped. You should make a commitment as a government that each and every handicapped person in this province has the right to work and to earn a decent living wage—not a minimum wage or the subminimum wages that are paid in some sheltered workshops, but a decent living wage—and then to develop the kinds of programs that can accomplish that during the International Year for Disabled Persons. That is the first issue.

The second is the issue of human rights. We all went through the fiasco of Bill 188—was that the correct number of the bill? We saw the government's attempt to provide some kind of second class human rights coverage and we heard the voice of the handicapped community loud and clear. They don't want special status. They want full inclusion within the Ontario Human Rights Code and the human rights program.

That voice was unmistakable. It was so loud and clear that I think even the government understood it had embarked on the wrong path. It withdrew the bill and we are still waiting for the honouring of that commitment. It's been made in throne speeches and political speeches and all over the place.

We were told we could expect legislation this session. I doubt if we are going to get it with three days to go. Perhaps the minister can tell us what has happened to those promises to include the physically handicapped in the human rights legislation. Perhaps we could have a clear and unequivocal statement from her that by the time 1981 dawns we will at long last have the inclusion of the handicapped under the Ontario Human Rights Code.

The third issue is the question of access of the physically handicapped to both public and private facilities. While I am aware of work that has been taking place to amend part V of the Building Code Act, before these estimates are over I would really like to know where that work is at.

4:20 p.m.

I had a communication from the mayor's task force report on the disabled and elderly, which I thought I had in this file, which states very clearly and unequivocally that housing ought to be—let me see if I can find it. Here it is. It says in that report in chapter two:

"In housing, as in just about every other area, the handicapped and the elderly are victims of ignorance, unintentional but widespread and profound. People who design and build accommodation, houses, apartments, condominiums, town houses, et cetera, do so with the adult healthy person or family in mind. Able-bodied people have no problem climbing steps, negotiating 24-inch doorways, summoning elevators, navigating kitchens and bathrooms, stepping over raised doorsills and making 180 degree turns in confined spaces."

That's all fairly obvious. It goes on to say: "There's no valid reason why most housing could not be designed to accommodate the elderly who are slow in responses or people in wheelchairs." That's the gist of the report of the mayor of Toronto's task force on the elderly and disabled.

The government has been working on revisions to part V of the building code. The recommendations to do that work came originally from the Social Development secretariat's own advisory committee on the physically handicapped. They recommended the building code be modified and gave a detailed set of recommendations with respect to specific modifications of part V of the building code. Among those recommendations were a series of detailed recommendations about housing.

It is my understanding the Provincial Secretary for Social Development accepted the recommendations of her advisory council, but when those recommendations were forwarded to the Ministry of Consumer and Commercial Relations the process somehow got off track, fell off the rails. I have a letter here dated January 14, 1980, from a Mr. G. Adams, who is director of the building code branch, to a Mr. G. Clarke within the Provincial Secretariat for Social Development, and I assume he is the staff person for the advisory council on the physically handicapped. This Mr. Adams, who was in the Consumer and Commercial Relations ministry, says:

"Dear Mr. Clarke:

"Thank you for all your efforts and contributions to the study group on proposed amendments to part V of the building requirements for handicapped persons. The branch has completed examination of the

Ontario advisory council and study group conclusions and prepared its recommendations. I thought each of you would like to know what they are, and therefore I enclose a copy. This is not intended to delay a recommendation to implement, but you are entitled to a copy at this stage as a matter of courtesy."

Then he says in the operative sentence: "We did not think it possible to include housing due to the variables of the types of handicapped and the difficulty of determining convenient locations," et cetera.

So one branch of the government knoweth not what the other branch doeth. On January 24, 1980, Mr. Clarke wrote back to Mr. Adams:

"Dear Graham:

"Thank you for your letter of January 14 and the enclosed recommendations of the building code branch with regard to part V.

"Graham, the recommendations of your branch are too drastically different from those submitted to the ministry by the Ontario Advisory Council on the Physically Handicapped in August 1978 for me to merely accept with brief comments. I have arranged for a meeting with members of the original building standards subcommittee for the purpose of reviewing the branch's documents and formulating recommendations which we will have to have ratified by council and presented in the form of a motion to the Hon. Margaret Birch."

Do you know what that sounds like, Mr. Chairman? That sounds like the staff person for the Ontario Advisory Council on the Physically Handicapped saying to the director of the building codes branch, "Well, if you want to exclude housing from the amendments to part V of the building code, we'll have to run it back through the advisory council somehow." That's what it sounds like.

I hope that's an inaccurate interpretation. I hope that the government would not use its advisory council in that way, and I look forward to a clarification of where this little imbroglio is at between the two ministries.

Let me read another letter from Pamela Cluff, of A. W. Cluff and P. J. Cluff, Architects and Planners. This is a letter dated January 22, 1980, to Mr. G. Adams, director of the building code branch, Ministry of Consumer and Commercial Relations. I assume she was employed as a consultant with respect to some part of the study process and I assume that it was the study group that looked at the recommendations of the Ontario advisory council before they were for-

warded to Consumer and Commercial Relations.

She says in the third paragraph, "In the matter of housing, although the arguments for and against inclusion are numerous I would like to reinforce my originally expressed view that it is critical that accessible housing be addressed in the code."

She goes on to say in the fourth paragraph: "Lobbying by the developer and housing industries against the inclusion of a proportion of accessible units in my view is largely determined by self interest and the fear of additional capital expenditures and unmarketable units. To accede to such pressure at this time may make compromise easier within the small group dealing with the code, but does not resolve the underlying problem of how to ensure that sufficient housing options are consciously made available in the years to come." All I can say to that is, amen.

I hope when the minister replies or when we get to the Ontario Advisory Council on the Physically Handicapped, we can have some kind of clarification on this and hopefully the minister will say to us that, in the battle between her secretariat and Mr. Drea's ministry, the needs of the handicapped have won out against the interests of the developers' lobby. I look forward to that with considerable interest.

I continue the point of the third of the six initiatives, that you have to move forward with those revisions to the building code in time for the International Year for Disabled Persons, and housing has to be included.

The fourth area has to do with special accommodation for the severely handicapped who require independent community living with attendant support services. We have just gone through the most distasteful and unbelievable wrangle with respect to Three Trilliums Community Place in which government at the municipal level and government at the provincial level were holding the physically handicapped to ransom while they worked out some sordid little squabble about cost sharing.

It's now six years since the care package proposals were torpedoed or evaporated or replaced, whatever language you want to use. Surely it's clear to you after five years, after a number of successful pilot projects and with an enormous demand within the handicapped community and on the part of groups who are working with and for the handicapped community, that this is an alternative that makes sense and that works.

You as a government have a responsibility to bring in enabling legislation that can provide for the development of independent living alternatives on a rational and orderly basis, so we don't have to proceed by way of a pilot project and so we don't have to endure these sordid wrangles between different levels of government.

During the International Year for Disabled Persons why don't you just bring in legislation that sets out a provincial program to fund the attendant support services at 100 per cent of the cost? I don't know why there needs to be municipal cost sharing in a program. For the life of me I don't understand that argument. It's something that has emerged recently. It was never part of the discussions you and I had or that successive Ministers of Community and Social Services have had in 1975, 1976, 1977 and in 1978, but in the latter part of 1979 all of a sudden the province said, "Oh well, we have to have municipal cost sharing."

I don't understand that at all unless you are concerned that this kind of program, which is so obviously successful, which can meet the needs of so many handicapped people, is going to be some enormous financial burden on the provincial coffers. Is that your concern?

4:30 p.m.

Well, it's a pretty mean-spirited attitude that you are prepared to delay the development of these kinds of housing alternatives out of a spirit of miserliness. You made promises to the handicapped community and Mr. Taylor made promises to the handicapped community. One of those promises that was made in 1975 was that every single project that came forward, if it were feasible or financially viable, would be funded. That hasn't happened, that simply has not happened.

Groups that could organize these programs in 1980 really have to think twice about how much of a hassle they want to endure because there are no stable funding mechanisms in place. There's no legislation that says if a community group, or an agency or an organization does thus and so, the province will do thus and so. It's all ad hoc. It's all: "Maybe yes, maybe no. Go ahead, try to develop a project proposal, and then if you can jump over all the hurdles we are prepared to put in front of you, including the requirement of municipal cost sharing, if there's money allocated in the budget, maybe."

It's an infinite series of maybes. When one thinks about who is trying to organize these projects—in most instances it is the physically handicapped themselves who are trying to put these project proposals together—it is simply intolerable that you continue to place these obstacles. There's another initiative for you during International Year for Disabled Persons—provincial legislation to provide full provincial funding of independent community-living alternatives.

A fifth area you ought to deal with is in the area of transportation. Many of us had hoped—I'm speaking from a Metropolitan Toronto perspective—that the transportation program for the physically handicapped that is being run by the Ministry of Transportation and Communications would be more successful than it is. After a year of operation, it's obvious in Metropolitan Toronto that there are some real problems with Wheel-Trans-Service.

The initial operator, who was himself a handicapped person, went broke in the initial period of the Wheel-Trans experience here in Metro Toronto and his successor apparently has not had the capacity to provide an adequate service. These are unpleasant things to have to say because of the real hopes and expectations that I among other people had for this service. It is obvious after better than a year of operation that an independent operator is not able to provide quality service. We have to start looking seriously at making this service a regular, integral part, in Toronto of the Toronto Transit Commission and in other centres of the municipal transit system. There have been problems with safety of vehicles and there have been all kinds of problems with access to the service. One has to book for a full year, otherwise one is not eligible for a subscription. One can only get service during working hours.

If you want an understanding of some of the difficulties you only have to talk to some of the handicapped groups that have tried to come down here to talk to the Minister of Community and Social Services. They get the bus that brings them down here at the appointed hour and they have to be through their business by a precise time, a time set by the operator, whether or not their business down here is completed. They have to pay through the nose for this service. It's just not good enough. Really, it's just not good enough. I have asked a question of the Minister of Transportation and Communications (Mr. Snow) with respect to safety in-

spection and the accident rate and I am still waiting for his answer.

I think one of your tasks ought to be to take a close, hard look at the model and not wait for five years or whatever it is. If it is apparent there are problems that cannot be overcome through the use of independent operators contracted out, then you should go back to the drawing board and come up with a system that makes transportation for the physically handicapped an integral part of the transit system. You should look seriously at ways and means of adapting the existing transit facilities to the handicapped, rather than providing what at this point appears to be a second-rate service.

The final area, of course, is income security, and John Sweeney has already touched on that. It is absolutely intolerable and is perceived as an enormous injustice that every time there is a cost of living increase for the Canada Pension Plan, or every time there is a legislated increase for the workmen's compensation program, it is deducted from the social assistance rates under family benefits or guaranteed annual income supplement.

I do not know where your head is when you permit that kind of situation to continue year after year. Why do you think workmen's compensation rates are increased by this Legislature? It is to take into account the loss of purchasing power because of inflation. Why do you think the Canada Pension Plan goes up at a regular interval? It is to protect people against the ravages of inflation. Yet, every time those rates go up, in effect the Treasurer of Ontario pockets the increase, because when the Canada pension goes up you reduce the social assistance rates and you achieve a cost saving because the cost is now paid by the Canada Pension Plan. When workmen's compensation goes up and the amount is deducted from family benefits, the Treasurer is the one who achieves the saving and it goes into his coffers because that means so many fewer dollars paid out to disabled people on social assistance.

I have suggested to the Minister of Community and Social Services a rational way of dealing with it. I think it is a just way during a period of rampant inflation where there is an obligation on government to protect the most vulnerable. That is to come to a policy decision that whenever CPP or workmen's compensation goes up by a certain amount, the social assistance rates go up by an equal amount so everyone gets the

benefit of the increase and you are not in the position of pocketing the increase yourselves as a government. That is another initiative you could take in 1981 if you were serious.

My great fear is that we are going to get a lot of pious platitudes about the needs of the physically handicapped and a lot of advice to others about what they should do. Your ministry has a penchant for giving gratuitous advice to everybody under the sun. My advice to you is to look to the beam in your own eye before you are so free about advising everyone else of his responsibilities. Government has the lead responsibility in this area. Government has the responsibility and the obligation to initiate these programs. We have been waiting and waiting and waiting in vain. Let us hope that this year in place of platitudinous advice we get some meaningful action out of the government.

Very quickly, I have a couple of other areas we can touch on in detail when we get to the appropriate section. Senior citizens: When are we going to get the legislation that will provide for the rational funding of community support services? You still have a freeze on elderly persons' centres. You still have ad hockery in home support services. I know from very annoying personal experience in many communities Meals on Wheels service simply is not available in some neighbourhoods.

4:40 p.m.

There are some people who are very dear to me in the city of Hamilton who happen to live in the inner city. Most of the people who live in the inner city in the north end of Hamilton are elderly people. It has become an elderly people's neighbourhood. Who is supposed to provide neighbourhood-based volunteer services in a neighbourhood that is made up primarily of pensioners and elderly people?

There is a shortage of volunteers so there is no Meals on Wheels service and people are on waiting lists for it for five and six months. People in their 80s who are trying to maintain their own independence and stay in their own homes simply are not able to get the Meals on Wheels program. This is true in many parts of our community. In my own neighbourhood we appeal from the pulpit at church on Sundays for volunteers to drive for the Meals on Wheels program. That is pathetic when you have such a program hamstrung like that.

You are going to have to get serious about home support services. You are prepared to pay \$10,000 a year to put someone into a

home for the aged and yet you are not prepared to pay half that for pensions for a single pensioner. You are not prepared to pay for the support services that would permit people to stay at home.

You urgently need legislation to rationalize the current hotchpotch, and all we have now is an extended consultation. When are we going to get the legislation? When are we going to get adequate pensions? When are you going to address yourself to the question that was pointed out in the ministry report on residential services back in 1975 that you look after people more generously in nursing homes and institutions than you do through your pension and support service programs?

You still pay a Gains single pensioner \$5,200, which will be the net pension once the current increases plus the anticipated federal increases come through. That is still below the poverty line. The poverty line for Metro Toronto, according to Statistics Canada, is \$5,700. I think it costs \$11,000 to keep somebody in a municipal home for the aged. I may be wrong on that figure, but I think it is \$11,000, almost double what you are prepared to offer by way of pension.

Day care: I do not feel up to making my own little day care speech. Perhaps I will be more inclined tomorrow, but I am really curious to know what action you have taken in response to the Ontario Status of Women Council when it recommended, as we have been recommending for the last three years, that the place for day care is in the education system and the place for day care centres is in our schools. They recommended that you set up a multiminsty task force to look at ways and means of implementing that. I do not think you have done that, although the Ministry of Labour tells me you have.

I do not think the Ministry of Community and Social Services is working on any serious policy position paper with respect to day care; although I have been told they are, staff tell me that they are not.

I have seen the consultation paper on day care standards. That is not a policy paper. That does not tell us what the place of day care is in the constellation of things. That is simply a technical document that talks about standards and regulations. It does not say what the responsibility of the Ontario government is to provide day care on the basis of adequacy and affordability. Perhaps we can get into that discussion.

Perhaps I am going on too long as well. Let me just make three quick points. I am

curious to know whether your secretariat will have any role at all when the Royal Commission on the Status of Pensions in Ontario reports, whenever it does report. We have been given successive dates, the most recent being June. June is rapidly expiring. The other question is what the role of your secretariat will be with respect to the constitutional negotiations that are taking place. We went through that debate in the Legislature without getting any of the social policy ministries to take any positions at all with respect to some of the questions that were raised in the Ryan report, the beige paper.

I don't know what Ontario's position is on the vexed question of jurisdiction over social services, health services or educational services. Your ministers have not addressed themselves to the substance of the question we were supposed to be discussing and I am curious to know whether your ministry is involved in that at all. If so, what are you doing?

Finally, with respect to the family, your great initiative, the newsletter—when was the conference you held in the Macdonald Block? In September 1979? Buried away on page six of the newsletter of summer 1980 is the one worthwhile thing that came out of that conference, the suggestion made by Ralph Garber that the government should be engaged in the business of solid analysis of the impact of government programs on the family.

In your opening statement today you gave us more of the gratuitous advice syndrome that you seem hopelessly locked into. You talked about the need for increased independence on the part of the family. To quote you, "There appears to be a general desire for reduction in the involvement in family life by government and its statutory agencies."

That's fine, but you have also put out a 50-page document that lists at least five programs on every page, and every one of these programs has some kind of an impact on family life. It's not your business as a minister of the government to run around telling families to look out for themselves. It is your business as a minister of the government to understand what your programs are doing to families.

That's what you should be concentrating on—not all of this moral uplift and pro-family rhetoric. I mean, there is nothing wrong with that—it is fine, good, and nobody disagrees with it; it is all motherhood stuff. But you have a responsibility, supposedly, as the senior cabinet representative in charge of

social policy, to understand what your government is doing to families.

To me, the one thing that would provide justification for your secretariat, in the first place and in the last place, would be a mandate to do precisely that; to do an ongoing impact analysis of the effect of government programs on family life; if you were to look at what the administration of the Workmen's Compensation Board does to the families; what the level of social assistance benefits does to families; or what virtually any program that your government offers does in the way of helping—or, conversely, in hurting—families.

All of your programs impact, and they either help or they don't help; they have an either positive or negative impact. But you don't study these things; you just don't. It would be a useful exercise for you to scrap all of the nonsense that you are engaged in and transform your secretariat into a branch of government that had as its mandate the analysis of the impact of government programs on family life. It should issue a regular report year by year, or more frequently if possible, dealing with precise analysis of specific programs; so that not just yourselves but everyone in the province would be able to understand the success or failure of government programs as they impacted on the family, and could engage in discussion and debate about change, improvement and reform.

4:50 p.m.

But you are not interested in that. You are interested in, basically, a political operation that doesn't engage in tough, serious, social planning.

Mr. Jones: It isn't so.

Mr. McClellan: It is so—unless you can produce for me the studies that have been done of the impact of any program, a single program.

As I have said, there are 50 pages of programs with at least five programs per page. Show me, somewhere, a study, a serious piece of work done by your secretariat that is an objective critical analysis—not a partisan analysis, we can all be partisan.

Surely there is a role in the government for an empirically based, objective, critical agency that can do serious, solid impact analysis without all of the nonsense, all the tea parties and seminars that deal in rhetoric; or even the seminars that deal in the useful reaffirmation of moral values. I am not negating that entirely; I think it's a useful leadership role on the part of government. But

much more useful is this kind of thing in the long run, because you are spending billions of dollars on programs which affect family life intimately, and yet you don't really know how families are affected.

Mr. Kennedy: Can you tell us about them?

Mr. McClellan: No, I can't.

Mr. Kennedy: Then why do you make those allegations?

Mr. McClellan: Because I am saying—I am not making an allegation.

Mr. Kennedy: Yes, you are. You say there are programs that didn't help families, they hurt families. Tell us about a family that has been hurt.

Mr. Chairman: Order. Mr. McClellan has the floor.

Mr. McClellan: Thank you, Mr. Chairman. If you want, I will—

Mr. Kennedy: You are full of allegations.

Mr. McClellan: Just be patient. I will give you a copy of a study that was done, I believe, by Laurentian University. It was used by the member for Sudbury East (Mr. Martel) as his opening presentation to the estimates of the Workmen's Compensation Board. It is a study of 20 families in the Sudbury area, and it looked at what had happened to those families over the course of their involvement with the Workmen's Compensation Board.

I think you should read it. I think every member of the government should read it, or at least read Elie's opening statement, because the effects on the family life of those 20 families were absolutely devastating. There is no other way to describe it.

Everyone from all three parties who heard Elie's presentation based on that study were profoundly moved by it, including the officials of the Workmen's Compensation Board. It isn't a partisan document. It wasn't done by a political party. It wasn't done by people with any axe to grind. It was an objective study that tried to understand what happens to families when they have a difficulty with a particular program.

Mr. Jones: Mr. Chairman, I just want to say that the difficulty with the allegations the member is making was that—

Mr. McClellan: You don't know.

Mr. Jones: —what was happening here in the secretariat was—

Mr. McClellan: You are not doing this kind of work. You are not.

Mr. Jones: —the policy that was delivered to people—

Mr. Kennedy: It is one thing to say there isn't enough being done, but when you are saying that what is being done is hurting families, that is another thing entirely.

Mr. Chairman: Order. I would be pleased to put both Mr. Kennedy and Mr. Jones on the speakers' list. If you feel strongly and you have a contrary opinion, this is the time to express it.

Mr. Kennedy: I am telling you that I don't accept those allegations. I would like to hear some proof.

Mr. Chairman: We will deal with contrary opinions and have a lively discussion in an appropriate way.

Mr. McClellan?

Mr. McClellan: Thank you. I have almost concluded; but again, perhaps to try to neutralize the discussion a little bit, I can say that it is not my idea. It is an idea that has been developed by, I think, Herbert Kahn in the United States and a number of very serious social policy seekers.

It was put forward to the inaugural family policy seminar, which was held by the ministry last September, in the keynote address by Dean Ralph Garber of the University of Toronto faculty of social work. This is precisely what he was suggesting as a responsibility and an obligation of government to do—to simply try to understand what effect government programs have on family life.

We do not do that work; no one does that work. I do not do it, the voluntary sector does not do it, the academic community does not do it, and government does not do it. Although you have literally hundreds of programs that impact on families, you are not doing the work that is a function of modern government.

You cannot pretend that family life is not somehow intertwined with programs that government delivers, because it is. Why do you not simply accept the fact and accept the responsibilities that you have to try to understand what it is you are doing to families every time you add on another program, or change a program or fail to change a program? It has an impact. Whether it is good or bad I cannot say—

Interjection.

Mr. McClellan: They do not, because they are not doing the work. I have a sense of what the impact of a program is and you will have a sense of what the impact of a program is. My perception is partisan and biased by my partisan preoccupations, and yours is as well.

Mr. Kennedy: My interest is nonpartisan—totally.

Mr. McClellan: Oh, yours is not partisan? Sorry; well mine is.

Mr. Kennedy: My interest is in the family.

Mr. McClellan: I think there is the need for an objective impact analysis. We can pursue that in discussions.

At any rate, I have tried to lay out for the minister what I think the government should do during the International Year for Disabled Persons. This, of all the areas, has probably been of most concern to me as an MPP because of the characteristics of my own constituency. Most of my constituents work in the construction trade, and there is a high incidence of accidents and disability.

We have seen some slow and almost imperceptible improvement in the Workmen's Compensation Board. At least now they do not cut people off as soon as the doctor says, "You are able to go back to work." It is possible if you fight—and you still have to fight—to get an injured worker into a vocational training program. Once he is in the vocational training program they can really help him.

I have seen many of my own constituents return to productive employment once the service has been provided. I know that it can work. I also know that you have to fight, case by case, to get people into the service because it is too small, too limited and too many people are trying to get into the limited service that is available. It is not available, as a right, to every handicapped person. It is too small.

The government needs to look to the success it has and turn them into major programs. Because we know, not just from other jurisdictions but from experience here in Ontario, that it is possible to help handicapped people to return to productive employment, or to get productive employment in the first place.

What has been lacking so far is an integrated, co-ordinated program on the part of the government of Ontario to make that happen for each and every handicapped person—1981 is the year to really move on that.

Mr. Chairman: Does the minister care to respond or make comments?

Hon. Mrs. Birch: Mr. McClellan has touched on concerns which I think are mutual. I believe he has to leave for a five o'clock meeting, and I would much rather answer him directly when he is here. I would much rather respond to Mr. Sweeney as well when he is here—probably tomorrow.

Perhaps Mr. Blundy has some comments he would like to make at this time, Mr. Chairman.

Mr. Chairman: Would it be satisfactory if we were to go on to the items in vote 2701 and deal with the responses to the critics' opening comments tomorrow? Are there any members who have comments on the various items in the vote?

Mr. Blundy, do you have any comments?

5 p.m.

Mr. Blundy: I have several things I wanted to raise and I am not just sure where they come in the vote.

Mr. Chairman: Let us take the vote as a whole. The third item is youth secretariat and youth experience, and I presume Mr. Jones will respond to any inquiries concerning that particular item. But if you have any questions, Mr. Blundy, on the other two—social development policy and social development councils—I am sure the minister or Mr. Bäckley, the deputy, would respond.

On vote 2701, social development policy program:

Mr. Blundy: I am not just sure where these things fit in, but I am going to go ahead any way.

There is something in my own riding that I would like to speak about. It is of great concern to me. I have a copy of an article from the Sarnia Observer headed, "Licence Refused, Home May Close." The home referred to is Heritage House, in Sarnia. It deals with the Ministry of Health, the Ministry of Community and Social Services, the Ministry of Correctional Services and so forth.

The house is a very large building, which was built about 25 years ago as a residence for a religious order. They have since gone on to a smaller home, and well-known and capable people in the Sarnia area have taken over this house to provide some of the services that previously were not available in the community.

I have had all kinds of talks and discussions with people in the Ministry of Health about getting homes for special care status for patients coming back into the community following psychiatric treatment or treatment for alcohol addiction, so they could have a place to live with the proper supervision and so forth. I have come to the point where that has been refused. The ministry says it is not essential in our community.

We have an alcohol and drug treatment centre operated by Dr. Anwar Ahmed in

Sarnia, but that is a nine to five program. He has said himself that some residence program is needed, but it has not been possible to have this come about in our area.

In addition to these rehabilitation patients, there are also 11 young people in this home who have returned from Correctional Services institutions. They are being cared for in the home until they can straighten out.

Heritage House could take 91 patients, and there are 51 patients in it now. Because they are not getting any assistance for residence care for the rehabilitation of alcoholics, the proprietors say they will have to give notice to the residents that the home will be closed unless there is assistance within 30 days.

I know this place well. As I say, it is only 25 years old. It has been approved by the fire inspector and by the local board of health and so on. Physically it is adequate, and it is filling a need in our community. But obviously Heritage House is going to go down the drain and the building will sit there vacant. These 51 residents, who are being given care for various reasons, are going to be out in the community.

Surely your secretariat, Madam Minister, which is overseeing the two major ministries involved in this home could do something to save that place. It is going to be a definite loss to the city and to the area. I have approached practically everybody I can, and they all say, "Well, yes, maybe later"; or, "We are looking at it." But nothing is happening. The people who have taken over that very large home are going to lose it. The place is going to be closed and we are going to suffer for it in our community.

I wonder if the minister has any comment or any advice on that situation. I believe it is going to be a loss to Sarnia and Lambton if that home closes.

Hon. Mrs. Birch: Mr. Chairman, I am certainly not aware of that particular program. I'm sure you can appreciate the large number of programs within the social policy field and that I can't be aware of each and every individual one.

I have not heard of that program, but it rather puzzles me that there is such a mix of different needs being met in that one large home. You spoke about young people, alcoholics and people who had had psychiatric treatment. It is almost what I would consider a mini-institution.

I wonder if perhaps this doesn't have something to do with the desire to place peo-

ple in smaller group home facilities that have programs directed to meet their particular needs.

I would be very pleased to see what information I can get. I would imagine that the Ministry of Health has advice that it is not a feasible program to carry on. You say that it does have community support and that there is a need, but perhaps because we are attempting to develop more homelike settings through our group home policy it is more desirable to place these individuals in other settings that might be more compatible with their needs.

My deputy is not aware of that particular home either. We will have to make some inquiries to see what we can find out.

Mr. Blundy: I realize there is a rather strange mix of residents in the building. However, I have been there several times and it has been handled well; they have them in different areas of the building. I really think the Ministry of Health has not looked into it sufficiently, particularly with a view to the post-psychiatric patients returning to the community from St. Thomas, which is our hospital area; and also in regard to the rehabilitation of alcoholics.

I would be glad to give you more information on this institution if you like. It's all right to say it would be better if they were segregated and placed in different homes, but those facilities aren't there in the community now, and this is. That's why I say it's going to be a very great loss to the community.

Hon. Mrs. Birch: Has it been in operation very long?

Mr. Blundy: It has been in operation for about two and a half years, I would think.

Hon. Mrs. Birch: Did it always have this mix of people?

Mr. Blundy: They started out as a sort of rest home for various people. Then they got involved very much in psychiatric patients returning to the community. There was obviously a need for this type of care that was not being filled in our community before that. There was a halfway house for alcoholics, but that was funded by a program that ended and those people became residents of Heritage House.

All I can say is that it is really filling a need and the people seem very happy there. I feel very bad about the possibility of their being forced to close at the end of July 1980.

Hon. Mrs. Birch: We would be very pleased to get more information on this home.

Mr. Blundy: I will try to get some more information and discuss it with you again. You had better go on with the vote, because I have a number of things that are not under this particular vote, Mr. Chairman.

Mr. Chairman: Well there's only one vote, Mr. Blundy, so you either do it now or you don't do it.

5:10 p.m.

Mr. Blundy: All right. I wanted to bring up the matter of the human rights legislation for the handicapped. The throne speech opening this session of the Legislature specifically promised to introduce amendments to the Ontario Human Rights Code to ensure rights for the handicapped.

We went through that period with Bill 188 where, in a separate nature, the handicapped were to be given security of human rights legislation, but that was rejected by the handicapped community. So here we are on the verge of the year for the handicapped. We are about to adjourn this session and we still have not seen the promised, specifically promised, human rights legislation for the handicapped.

I wonder if the minister has any comment of when that is going to come.

Hon. Mrs. Birch: I think I can assure you it will be in place before the International Year for Disabled Persons in 1981. I had assumed, because we have dealt with that particular amendment, that it would be introduced this session, but the session is quickly running out and at this point I just could not—

Mr. Blundy: I guess it's under the Minister of Labour (Mr. Elgie) anyway, but we are talking about handicapped services, the handicapped people. I know there are a lot of handicapped people in this province who are anxiously awaiting the introduction of that legislation.

Hon. Mrs. Birch: I can assure you there is an amendment to the Ontario Human Rights Code ready to go forward. I would like to correct one other comment, if I may. Both you and the NDP critic suggested that all the handicapped people rejected Bill 188. I don't think that's true. A lot of people were not aware of it; they were not familiar with the bill itself. The people who rejected it were the people who had a high profile, who were available quickly to respond—

Mr. Blundy: They actually were the people who are involved with handicapped people

ple, particularly here in the Metro area. They may have been the vociferous ones, but they were people who were very knowledgeable about what they were talking about and who work closely with handicapped people.

Hon. Mrs. Birch: Well there were a lot of handicapped—

Mr. Blundy: I'm sure there were handicapped people all over the province who didn't respond, but there were a great many who did and made their point very clearly.

Hon. Mrs. Birch: I just wanted to make the point that it wasn't totally rejected by every handicapped person in this province.

Mr. Blundy: Not every person, no.

Hon. Mrs. Birch: There were a lot of people who thought it was a big stride forward because that legislation really provided more protection to handicapped people than any other legislation in the world. It was an excellent piece of legislation. But I think because it was not enshrined in the human rights, that is where the difficulty came in.

Mr. Blundy: I think people who are handicapped, as any other group, don't like to be singled out specifically because of their group. They like to be included in the omnibus legislation that guarantees human rights and so forth.

Hon. Mrs. Birch: As you know, we did take the bill back and it has been enshrined in human rights, and we hope that will be coming forward very quickly. I certainly would like to see it here before 1981.

Mr. Blundy: I would like to discuss briefly the matter of group homes. The minister devoted quite a bit of her opening statement to what is called the encouragement of the ministry to municipalities and so forth, but that's all it is. It really isn't achieving anything in the way of group homes. The people who have been opposed all along to the development of group homes in their communities are still opposed.

I do not know of any new group homes that have started up within the last six months. You have spent a great deal of time talking about information to councils and to planning boards and to people. But when it comes to group homes, everyone wants a group home but they do not want it on their street. They want it someplace else. So in spite of all the encouragement you may be giving, unless there is specific legislation I do not know how you are going to get a local council to fly in the face of the opposition of the residents of a certain area, which is really crazy, I agree.

I remember when I was mayor there was a specific case on Champlain Road where there was a former convent and they wanted to turn it into a group home for mentally retarded adults. We were besieged with the people in that area, fighting madly against it. You never saw anything like it. They swore up and down they would never vote for me or any member of council if it was put there. It was just a wild fight. Anyway, it was put there and we have never heard a peep out of the people since. It is a beautiful place, purely residential. But somebody had to take the bull by the horns and do it.

I do not think the encouragement you are giving is going to get people to agree to having group homes in their municipalities unless there is definite legislation requiring the municipalities to look after their own. The city of Toronto is picking up people from all over the place because other municipalities will not permit group homes under their zoning bylaws, not only for the mentally retarded but for others. I do not believe we are going to accomplish what we need to accomplish in this province in the way of group homes under the present initiatives by your ministry.

Hon. Mrs. Birch: Again, I am afraid I would have to take exception with you. Perhaps it is not happening as quickly as some of us would like, but I think it is happening in a much more responsible manner. What we are doing is educating and informing people about the need for group homes, what group homes are all about and how we, as a government, are prepared to support a group home policy and ensure that our standards and guidelines are followed, and that the people who require that kind of care are given it in a very responsible way.

I think it would be unconscionable of us to impose people who have special needs on communities where there was hostility, where there was a lack of understanding about the needs of the people who require a group home setting. Although we have been into this now for about nine months, I do begin to see an opening and I think it is because of the—

Mr. Blundy: You let me know when you see a home opening.

Hon. Mrs. Birch: I think we are very close to it. We have already opened one for the retarded in Scarborough. I think we will be seeing many more.

At the moment, many municipalities have adopted or are close to adopting a group home policy; these are regions of over 50,000 in population: the regional municipality of Peel; Sudbury; Hamilton-Wentworth; Dur-

ham; Metropolitan Toronto; the city of Toronto; Thunder Bay; Ottawa; Hamilton; Kingston; North York; York; Scarborough; and there are many others at this moment that are considering a policy. They are the regions of Haldimand-Norfolk; Niagara; Halton; York; Etobicoke; East York; Mississauga; Brampton; St. Catharines; Oshawa; Nepean; Niagara Falls; Guelph; Brantford; Kitchener; Gloucester and London.

Once we get established in those large areas and people begin to respect the need for providing for people to receive the special services they require in their own community, once they see the government is prepared to back up this policy by enforcing very strictly our standards, our guidelines; with the awareness that comes from all that you will see a real change. We certainly have seen it develop over the past nine months.

5:20 p.m.

In the first instance there was real entrenchment; people just backed right off when you mentioned group homes. But having a full-time co-ordinator has established a great deal of credibility. She has gone around this province, meeting with municipalities, meeting with ratepayers groups, talking to all kinds of service clubs, explaining to them the need; that was one of the problems, people really did not understand group homes.

Through the media they had been exposed to all kinds of terrible stories about what group homes were and what they did to neighbourhoods. We have found out that many of those beliefs—for instance, that they are devastating to real estate values—are just not true. We have been able to assure ratepayers groups that they were not going to lose out on property values. With the group home co-ordinator working full time in this area we are really beginning to see very favourable results.

I am surprised, because we cannot have it two ways. Municipalities are asking for more autonomy. I think if they are asking for autonomy they have to accept the responsibility that goes with it. They have to make decisions that relate to the needs of the people who live in their municipalities and not expect another level of government to come along and impose them. I am sure if we had come along and imposed something when you were the mayor your back probably would have gone up and you would have said: "Hold on. We will make those kinds of decisions."

So what we are attempting to do is to fit municipalities to look to the needs of all of the residents in their community, and par-

ticularly, in this case, residents who do have very special needs.

I think it is going to be successful and I would stake my—I don't know what I would stake on it, but I am very confident because of the reports I have heard. I spoke in Ottawa at a luncheon last week of the Provincial Council of Women. On leaving, a lady who lives in Ottawa came out to tell me how pleased she was that we do have this co-ordinator who had been able to turn everyone around and is getting acceptance of a group home policy because of the information she is able to give to them, the reassurance about the government's policy and how we are determined to see it carried out to the letter of our policy. It is going to take time but it is going to happen.

Mr. Blundy: I hope you are right, that it will happen. I am not all that optimistic, but we will see.

Hon Mrs. Birch: It will take time.

Mr. Blundy: I want to discuss another item. This was touched on by both Mr. Sweeney and Mr. McClellan, but I want to approach it in another manner. I am talking about the level of family benefits and general welfare assistance.

I would like to know if your secretariat, along with the ministries involved, has ever made any kind of a rationale for the adequacy of existing family benefits levels. I am not talking about somebody saying it should be raised by \$50 or it should be this or that. But has anybody in your secretariat or in any of the ministries looked at family benefit levels in the light of today's economic situation?

It is beyond me how people can live on the amount of money that is being given them: I know you will say: "We haven't any more money. It would cost millions to do this," et cetera. But I am asking you straight out: Has anyone ever examined the family benefits level to see if, by any stretch of the imagination, it is adequate, I do not mean adequate for them to be living in fashion and high style or anything like that, but just to live. I do not believe the level of benefits is adequate for anyone to live in today's society.

I would like to know if that has ever been discussed. Do you look at it? Do you examine it? Do you say, "Look, it takes this much to live and these people are only getting this much"? I would like to know what you have to say about that.

My colleagues talked about the fact that when the federal government gives a cost of

living increase there is a reduction at the provincial level. I do not know how anyone today could live at just the straight family benefits or general welfare level, and I would like you to give me your views on that.

Hon. Mrs. Birch: I would like to touch on that briefly, and perhaps expand on it tomorrow when the other two critics are here and answer specifically some of the things they said, but I would like to reassure you that, yes, people do look at it very carefully.

I think the criticism is based on the real dollars people on family benefits receive. I do not think anyone ever takes into consideration the housing accommodation that is provided. I do not think they take into consideration the free Ontario Health Insurance Plan coverage, the free drugs and the many other programs that are available, such as renovations to homes, which certainly add to the all-round benefits provided.

I know it is very difficult. I am sure that at the level of assistance available there are some difficulties. Everyone is aware of that today, with the high cost of living, and certainly rearing children is very expensive, but one always has to look at those rates in relation to other factors as well.

One of those factors is those people who are called the working poor, people working at an income level which just about reaches the level of assistance received by someone on family benefits. We have to continue to provide some kind of incentive for people working at the lowest income level, because they are not provided with the extras, including free OHIP, free drugs and free dental care.

Mr. Blundy: If their income is low enough, they may get some subsidization.

Hon. Mrs. Birch: They are existing on a very low income. A suggestion that family benefits should be increased would not go down very well with those who are working very hard and who are just maintaining a very low lifestyle with a very low income, but who are still expected to pay for OHIP, who are still expected to pay for dental care, who are still expected to pay for drugs. There is always that. You have to be aware of the discrepancy between someone who is working, but at a low income, and someone who is on one of the programs.

Mr. Blundy: Madam Minister, I do not think there are very many people working today who get as little as the family benefit recipients. Surely they must make more money than that if they are working.

Hon. Mrs. Birch: I think you will find there are many people working at the minimum wage, and the minimum wage would not produce a much higher level than the family benefits allowance. Again, they would have to meet all of the additional costs out of their own incomes.

It is awfully difficult to provide equality in a system such as this, because you always find that when you move to increase the benefits in some program you have to move on to others. It becomes very difficult to keep increasing. As I said, you have to be very careful when there are people who are working at that minimum wage who have to meet their own expenses.

Mr. Blundy: I also wanted to talk about the proposed medical consent legislation, but I know Mr. Sweeney raised this matter in his opening remarks and there will probably be some further discussion on it tomorrow, so I will leave that for the time being.

That is all I have, Mr. Chairman.

Mr. Chairman: Mr. Jones, would you like to make some comments with respect to the Ontario Youth Secretariat?

5:30 p.m.

Mr. Jones: Mr. Chairman, maybe Mr. Blundy could give us some guidance. Mr. Sweeney made some reference to youth problems and violence. He was directing comments to the minister and expressing some curiosity about the overall secretariat, but I sensed he was specifically interested in the Ontario Youth Secretariat and just what the role or involvement of the youth secretariat is in some of these issues.

I would be happy to comment on that, with the minister's permission, or to reserve those comments until tomorrow. In short, Mr. Blundy, a lot of it is contained in the notes you have, but I would be happy to give some capsule comments on them either now or tomorrow. What is your preference? Would you prefer that I wait for Mr. Sweeney and make those comments tomorrow?

Mr. Blundy: Yes.

Mr. Chairman: Perhaps we can do that specific item tomorrow, then, in response to Mr. Sweeney. Is there anything else in regard to the program, Mr. Jones, that you would like to put on the record?

Mr. Jones: There have been some comments made here and in the estimates of some of the other on-line ministries about the Experience program and some of the funding this year. Perhaps it might come up again later in these estimates.

It might be helpful for the members of the committee to know that the Experience program is only one of the programs the youth secretariat sponsors, co-ordinates or has some involvement in, particularly in the summer months. Summer employment has been touched on in questions raised today and we all know that unemployment is most intense in the summer months. Of course, young people need summer employment to help continue their education, but they also need it to learn some of the disciplines of work and to help them make career decisions.

One of the things I think is important for people to know is that this year while, yes, we are involved in the one program, as we have mentioned in a lot of estimates, with the Experience program—and the minister is very familiar with it—and all of the other programs in which the government is involved this summer the number of jobs is up by 5,000. While Experience continues to employ considerably more young people than just a few short years ago, I would just remind the members that the net result, in one case going to the Ontario Youth Employment Program versus Experience, in terms of jobs is 5,000 very important jobs in that tight summer job market.

That might just anticipate some of the comments members might have.

Perhaps we could just reserve comment on some of the other questions about the role played by the youth secretariat in all kinds of issues which come under this minister's co-ordinating role, such as health initiatives. There was some talk about this ministry's role in family health planning and pregnancy education. When those issues come from the Ministry of Health, as they do, the youth secretariat, of course, has an opportunity for input.

Maybe I had best leave those until Mr. Sweeney is here, if the minister agrees.

Mr. Chairman: Are there any other comments? I just cannot bear quitting early.

Mr. Jones: Mr. Chairman, perhaps I could clarify a matter raised by my colleague the member for Bellwoods (Mr. McClellan)—and I will talk to him about it in more detail tomorrow. I take issue with him, and I sense Mr. Kennedy does too, because he made some comments and drew some inferences about the minister's concern for the family. I think she is too polite to respond to him, but I do not have that much politeness. There are some of us who will be polite, but not to that extent.

He made some allegations about some of the work this minister has done. I am not just commenting on this because I am her parliamentary assistant; some of the other government members saw it too. He mentioned the importance of the family and how it is considered by all the on-line ministries, particularly those that fall within her jurisdiction.

It is more than just—I think he used the term rhetoric. The input is very real. I think all of us on the social development committee should be rather heartened to see the various ministries responding to it. In the course of the last year we have seen ministries thinking about the impact of proposed changes on the family. I have even seen this in the committee on regulations and statutory instruments that I sit on. That is to the credit of this minister, who initiated it.

I do not wish to interrupt your proceedings, Mr. Chairman, but I wished to take issue with my colleague over here, who was off track. He was contending that this concern for the family was something other than very real, genuine concern, but it does have a concrete effect on the different policies of the various ministries as they are co-ordinated and guided in their policies by this ministry.

That was my only reason for interrupting.

Hon. Mrs. Birch: I would have been very quick to respond myself, but I thought I would save it for tomorrow. I was rather surprised, especially as it was that particular critic.

All we hear about is public participation and that is exactly what we are involved in, finding out from people how they feel about government programs and their impact on families. I do not know how better we do that than by going out and meeting with people and giving them an opportunity to tell us directly, and that is exactly what we are doing. However, we will expand on that tomorrow.

Mr. Chairman: I have two issues, Madam Minister, that I would like to raise. Perhaps I can ask Mr. Rowe to take the chair.

The Acting Chairman (Mr. Rowe): I will act as chairman from here.

Mr. Gaunt: I will be very neutral in my comments. After all, anyone who sewed my trousers in Copenhagen deserves gentle treatment.

Hon. Mrs. Birch: I think so. I am glad you remembered.

Mr. Gaunt: I could not forget.

Hon. Mrs. Birch: Remember, I still have that photograph too.

Mr. Gaunt: Have you?

Hon. Mrs. Birch: Yes.

Mr. Gaunt: I had better take certain measures to obtain it.

In any case, there are two issues about which I am concerned, and I have spoken to Mr. Baetz, the Minister of Culture and Recreation, about them. One concerns Canadian authors and the help available to them.

I have a Canadian author living in my riding. He is very good. I am obviously not too objective about that, but I have spoken with people who do know and who are in a position to judge literary excellence and they tell me he is a very good author. He does a lot of radio work as well. As a matter of fact, he reads a lot of his stuff on radio and gets a very good response.

To put it in stark and blunt terms, he is starving, and I suspect that a lot of other Canadian authors are in the same position. The question is: What can we do to assist them to get their work out, to get it recognized, to really get the show off the ground for them in terms of making people generally aware of what they can do, making people generally aware of the excellence, in many cases, of Canadian authors and generally to promote Canadian literature?

I know there are some programs; at least there is one program, under Wintario I believe. I think the Minister of Culture and Recreation can offer some financial assistance if the work is properly slotted into programs which he has available, but it seems to me that is pretty limited and narrow in its application.

5:40 p.m.

I just think we should be doing more for our Canadian authors. It seems to me they are undergoing a bit of a tough time. They have to compete, really, in a North American market, which means they compete with people south of the border, where the whole milieu is much more conducive to getting the work into the mainstream of their society.

I raise that as a concern because this chap—I will mention his name, Don Campbell—is a war veteran, and he has had much varied experience. His work is articulate. It has a certain rural flavour to it, which commends itself to me and, I guess, to a lot of people.

Madam Minister, I would be glad to present you with this little edition of *Acres of Memory*, which is a collection of 65 short stories, just as they were narrated by the author on radio.

Hon. Mrs. Birch: This must be a first for an estimates committee, to be given a book. Thank you very much.

I know there is a program, through the Ministry of Education, which supports the publishers of textbooks that are written by Canadian authors and I would assume that there are programs at the federal level. Through Culture and Recreation we also subsidize publishers who produce Canadian books, but I do not know that the subsidy goes to the authors, except through royalties, of course.

I think there are some things, but obviously there are not enough. We will certainly look into it and see.

Mr. Gaunt: I have talked to the Minister of Education (Miss Stephenson) about the very point you raise. Mr. Campbell is his own publisher and in order for the Ministry of Education to put this sort of material on the approved list there has to be a printer—it has to go out to a recognized printer and be available in that way. Then, if it is an approved text, it is put on the list and made available in that fashion. That means that he would have to get it accepted and printed by a recognized printer, which he has not done up until now, mainly for economic reasons.

Mr. Jones: I think, Mr. Chairman, that this is a common problem in other areas. I have had a similar experience in my riding with a woman who has expertise in two or three of the arts, including painting. She was writing a unique traditional cookbook and was also having trouble with the financial side of it. The book was dedicated to the Ontario heritage type of cooking, which has a lot of appeal.

She did manage to get a primitive edition, I guess you could call it, out to one of the local fairs—there are a lot of them these days—and there was a big response. All the copies she was able to have printed were snapped up. She was facing the same kind of problem you have been describing to us here. Probably her book was something that had a very real market.

I wonder if the minister could help us with the criteria. Would they have to go to a community publisher? In the case you have mentioned, Mr. Gaunt, I understand that he wants to be his own publisher but cannot.

Mr. Gaunt: Yes, for mainly financial reasons, Terry. He feels that, even with the royalties, he can't afford to go to a publisher with his work because it costs a lot of money. If you are well known the publishers climb over themselves to get hold of your work,

but if you are not well known, if you really need the help, they don't show any great interest. So he has undertaken to publish his work himself.

I have been talking to the Minister of Industry and Tourism (Mr. Grossman) to see if that material could be put on display and be made available in Ontario Place, to be seen by the people who go through, and I will pursue that. But it seems as though it is very tough to really get off the ground in this particular area.

The Acting Chairman: I had a somewhat similar situation. There is a woman who did a very thorough historical research of her ancestors, who were among the original United Empire Loyalists that settled in the Belleville area. Her aunts had begun the research and she completed it. She published a book of some 500 pages at great cost. As a matter of fact some of us had the opportunity to buy at a special pre-publication price. I don't think that is the correct term, but, anyway, it was one of the original issues and I think I paid \$22.50 for it. So the price will now be markedly higher. It may not be a big seller because of the price and the limited interest.

The reason she was not eligible for assistance through the Ministry of Culture and Recreation was that it was being done for what she hoped would be a profit. She now hopes to break even, but at this point it is going to be quite a severe struggle. If it were a community project or something like that it would be eligible for the Ontario grants, but these are not available to individuals, under the present criteria at least.

There was a lot of really sound and thorough historical research done in this case, so I think it compares with the situation you described, Mr. Gaunt.

Mr. Gaunt: Mr. Campbell ultimately hopes to make a profit out of it because that is his livelihood, so Wintario is also limited in what they can do.

I raised the matter because I think we should, as a matter of government policy, encourage our writers in this country.

Hon. Mrs. Birch: Of course.

Mr. Gaunt: We have some good ones. We have some who are notable. Their struggle has been long and hard, but they have achieved certain fame in their profession and are now well recognized. Those people can usually continue to get profitable results from their efforts because of the fact that they are well known and their work is taken up very readily, not only by the Canadian publishers but also by the public.

Hon. Mrs. Birch: His name is very familiar. Was the work read on the CBC?

Mr. Gaunt: Yes, he has done some work for the CBC. He is writing another series of stories which he hopes will be taken up by the CBC. He feels the stories could be adapted for television.

There was only one other matter I wanted to raise. It concerns education and the co-op program at the University of Waterloo. I am told that the co-op program in Waterloo is recognized as the best computer program available at any Ontario university. Mr. Sweeney dealt with this during the Ministry of Colleges and Universities estimates.

I was told that, for instance, Air Canada will not hire any computer programmers who graduate from the University of Toronto or any of the other Ontario universities. They want only graduates of the University of Waterloo co-op program. It is a fairly limited program—I think they have about 1,000 places in their university for this type of student—and they do need more funding.

5:50 p.m.

At the moment, with the unemployment we are witnessing in the student population or the graduating student population, it seems to me this is an area where it would be advantageous to put more money and have these students grabbed up almost immediately on graduating.

I had a call this morning from a person who operates a placement company. He indicated that he could get jobs for many hundreds of young people in this area, in the electronics and computer programming area, if they were there and if they were properly trained. He suggested that the co-op program at the University of Waterloo is a good example of young people getting work experience at the same time they are getting academic experience.

When students come out of this program, they have something to offer a prospective employer. They are just not coming out of school; they have work experience as well. When an employer asks, "What experience do you have?" he or she can say, "I was in the co-op program at the University of Waterloo"—in this case—"and I worked with these companies while I was going to school."

Apparently it has worked extremely well. He was using that as an example of the need for the province to develop further co-op programs, not only to fund the one at the University of Waterloo to a greater extent but to develop other such programs in our universities in the province.

It really amazed me that the computer programming course at the University of Toronto in that sense is second rate. I thought that was quite startling, because my impression was that was one of the better programs.

Hon. Mrs. Birch: There is no doubt about it and I think the province recognizes it, but again we have to deal with the fact that the universities are autonomous. They develop their own programs. It is recognized that the University of Waterloo has a program that is really tremendously successful. I am told that the Ministry of Health was very anxious to get hold of graduates from that program you mentioned as well.

Mr. Backley: That ministry actually participates in the program and the training.

Hon. Mrs. Birch: In the training, yes. We helped place a young man who is a quadriplegic who had been injured during his third year in engineering at the University of Toronto in that particular program. He is now working with Atomic Energy of Canada Limited and is doing extremely well.

It is an excellent program. I imagine the Minister of Colleges and Universities (Miss Stephenson) has heard about their financial problems by now, but we are going to ask her about a solution.

Mr. Gaunt: They are autonomous, you are quite right, but I think Waterloo, for instance, would be quite prepared to make other places available so it could take in a greater number of students if it had the money. It does not have the money. That is the limiting factor.

The deputy minister mentioned that the Ministry of Health is involved in that program. That's quite right. IBM Canada Limited is also involved and it is grabbing up about half of those graduates. Honeywell Limited wants to get involved and will get involved and will be taking up some of the graduates as well. When you consider those three prospective employers, most of that group of graduates, if not all of it, will be taken up almost immediately.

Mr. Jones: Mr. Chairman, it is probably very appropriate to discuss this under the heading of social development. It came up earlier when the two critics from the opposition parties touched on it in broad terms—continuing unemployment and young people facing a tough market.

We in this government are all very much aware—and I certainly sense it from my role in the Ontario Youth Secretariat—of the need for two things: first, the Experience program; second, to be aware of this in our forecasting,

especially when we are working with the private sector and all those potential employers.

They do look for experience. It gives young people a tremendous edge in their marketability when they make that transition from school to work.

We have also found that in our studies—for example, we did a wrapup for the Ontario Youth Employment Program and other programs that we monitor, to help give input to the government's forward thrust and continuing thrust in this whole area. We find samplings from the employers make that very clear. They look for experience, be it summer experience they might have gained or from a co-operative situation.

As a matter of fact, in your estimates books the members can see there is reference to an initiative even in the secondary level called co-op education, which the boards are taking up in the youth secretariat under the minister's direction. They are playing that role of the central contact for the boards that are taking part in that. It involves a very small sum, some three dollars per day for travel, but it is being very well received, because as you say the lessons learned from co-operatives in Waterloo could be seen to apply with very real benefit at the secondary level.

As a matter of fact now, as we talk to employers and some of the people who are working on some of the social problems that were touched upon by the official opposition critic, they are finding they are receiving considerable help. Those in the secondary areas where they are working in private sector co-operatives, in situations where the boards have followed the lead suggestion and persuasion of this government, are now into that and it is giving quite an edge to those young people who might otherwise come out of the system, whether in the middle of their secondary schooling or at the end of it. It is giving them a chance to be snapped up all the sooner.

In the technical fields you mentioned that is very true and we see the trends towards those areas where that will be a need. As we have participated in the skills-for-work conferences and as the government is going forward and working with the manpower commission as it is bringing forward its recommendations, we are aware as a government that is where those new jobs are going to be.

The co-op type of education, wherever the economists' educational values will provide it, is one of the things that gives the biggest

incentive for employers and gives them what they need, skilled workers with academic qualifications but also actual hands-on experience. That will help the whole province, and help, of course, those numbers we are concerned about—the young people coming into the new and changing work places that are being forecast for us.

Mr. Chairman: Thanks very much.

There are just two matters and I would ask you to think about them. We won't come to a decision today because we don't have the people who would be most deeply involved in these matters with us. But the summer sittings of the committee will have to be decided upon in the next day or two.

We have Bill 82, An Act to amend the Education Act—that's the special education bill—and the minister has indicated that she would like us, if possible, to deal with that in mid-July, perhaps in the first or second week of July. Now, I had thought perhaps the first or second week of August, but she does have a preference for July.

Also, there is the private bill sponsored by Mr. Williams, Bill Pr31, An Act respecting Canadian School of Management. I don't see how we can deal with that before the fall, unless there is a contrary view.

Mr. Leluk: Mr. Chairman, I happened to be speaking to Dr. Korey today and I was going to speak to you after the committee was out. They have a problem because they have

a school year and they were hoping the committee could deal with that bill some time this summer during the two-week session so the bill could be enacted when the Legislature returns in the fall.

I am just wondering if we are keeping that particular concern in mind. I think it is a legitimate concern.

Mr. Chairman: Yes, I appreciate that. I am wondering, Mr. Leluk, even if we did deal with it in July or August—

Mr. Leluk: I know it couldn't be—

Mr. Chairman: —the House wouldn't be coming back until October 8—

Mr. Leluk: Anyway it would have been dealt with and it would just have to be brought into the House.

Mr. Chairman: Can we try and sort that out? I think we are all agreed that we do not want to hold up this piece of legislation and it should be dealt with either immediately prior to the House coming back or during the summer recess so that it is out of the way as far as the committee is concerned. Then it is up to the House to deal with it.

Can we leave it this way? Think about those two matters and then perhaps tomorrow we can discuss them further and sort them out. In the meantime, I will talk to the House leaders and see what can be arranged.

The committee adjourned at 6:01 p.m.

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 Blundy, P. (Sarnia L)
 Gaunt, M.; Chairman (Huron-Bruce L)
 Jones, T. (Mississauga North PC)
 Kennedy, R. D. (Mississauga South PC)
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 McClellan, R. (Bellwoods NDP)
 Rowe, R. D.; Acting Chairman (Northumberland PC)
 Sweeney, J. (Kitchener-Wilmot L)

From the Provincial Secretariat for Social Development:

Backley, W. A., Deputy Provincial Secretary



Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Provincial Secretariat for Social Development

Fourth Session, 31st Parliament

Tuesday, June 17, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

TUESDAY, JUNE 17, 1980

The committee met at 3:32 p.m. in committee room No. 1.

ESTIMATES, PROVINCIAL SECRETARIAT FOR SOCIAL DEVELOPMENT (concluded)

Mr. Chairman: I will call the meeting to order. Mr. Kennedy has to leave at four o'clock and, with the committee's permission, I will call on him before the Provincial Secretary for Social Development (Mrs. Birch) responds to the critics.

On vote 2701, social development policy program:

Mr. Kennedy: Thank you, Mr. Chairman. In the minister's opening statement she made reference to the handicapped and the fact that 1981 will be the International Year for Disabled Persons. Mr. McClellan also made reference to it.

It so happens—and I do not know whether mental telepathy was at work here or not—that I have had in mind some of the concerns of the handicapped with respect to parking, and I have just introduced a private member's bill entitled Parking Facilities for the Handicapped Act, 1980. If adopted and put into effect, this would provide improved facilities.

Under the Municipal Act, municipalities can put through bylaws to provide for this; in fact, some have very good bylaws. I express appreciation to them. North York and the city of Toronto are two that come to mind, and I think Etobicoke has them. Scarborough has them also. These were pulled together and research was done by the minister's office which resulted in this bill coming forward. There was the option of making further amendments to the Municipal Act, but I thought it might be better to have a bill standing on its own. Then I hope the ministry will take it from there and do what it sees fit.

In essence, it defines "physically disabled," but it also provides for a permanently or temporarily disabled person to have access

to spaces. The spaces must be available at government buildings of all levels—other than the federal level; we have no jurisdiction over that—and all other public places that have 25 or more spaces. Small strip parking lots would not be involved unless they had over 25 spaces.

The other point, which should prove to be very helpful, is that the handicapped person himself or herself need not be the driver. If he or she is conveyed—for instance, if you, Mr. Chairman, drove a physically disabled person somewhere—there is provision for a permit and the permit will have some portability. You could use it and take advantage of the space and if, the next day, I or Mr. McClellan were to drive the same individual, we could use the permit.

The permit, in other words, goes with the individual. It achieves the objective of getting the handicapped person to a convenient space. The permit, under this bill, would be valid anywhere in Ontario.

The benefit of having provincial legislation, Madam Minister, would be that municipal bylaws could supplement it. They could go beyond anything that was in here, of course.

There is provision for a minimum fine of \$25 for those people who intrude into these spaces, but the other enforcement part is that an agency controlling a parking area which does not conform to the legislation is subject to a fine of from \$100 to \$10,000 for not providing the spaces within its parking premises.

Mr. McClellan: It is mandatory, not permissive, legislation.

Mr. Kennedy: Mandatory, that is right. There is a time frame for them to conform.

Since we are speaking of next year as International Year for Disabled Persons, Madam Minister, I do hope the ministry will take this up. I invite interested parties—associations and individuals—to review this. I would certainly be delighted to receive any suggestions they might have for improvements over the course of the summer and I

would be pleased to pass them along to your office for consideration.

That is all, Mr. Chairman, unless there is a question. I thought I would inform the committee of that, and you, Madam Minister.

Hon. Mrs. Birch: Mr. Chairman, I would like to commend the member for introducing this very necessary piece of legislation to provide parking opportunities for the handicapped. It certainly helps provide a facility so many of them are looking for today.

I do not know if you are aware that Metropolitan Toronto has passed a bylaw providing for parking for disabled drivers who have a valid driver's licence. The disabled driver does not have to be a Metro resident to apply for a permit to park in Metro. A medical certificate is not required either. Rather, the disabled driver is asked to indicate on the application form that he or she is a disabled driver and give his or her driver's licence number.

This permit is intended to be attached to the visor of the car. When the disabled person leaves his or her car, the visor should be pulled down to indicate that the person is disabled and, therefore, allowed to park in a designated area, or in the following areas: areas where it says "no parking," except during rush hours; and at meters for longer than 60 minutes without refilling the meter or incurring a fine.

Initial permits have been issued and the registry is maintained at the office of the co-ordinator of services for the disabled and the elderly in Metro. There is a \$50 fine for misuse of the above privileges. This bylaw was effective January 1, 1980.

As far as we are aware, this is the only program of this type at the present time, but we understand it is receiving a lot of very favourable comments from those handicapped people who are being permitted to use it.

Mr. Kennedy: I am sure it is.

Hon. Mrs. Birch: It is something we would like to see throughout the province. I commend you and I will certainly be helping to promote the very quick passage of that bill.

Mr. Chairman: Would the minister like to respond to the critics? Mr. Sweeney is tied up in the House where they are debating second reading of the special education bill.
3:40 p.m.

Hon. Mrs. Birch: I could quickly respond to some of the comments you made yesterday, if you are interested in hearing them.

I think at the same time I will respond to Mr. Sweeney's questions and then he can read them in Hansard, if that is all right.

Yesterday Mr. Sweeney raised the question of sterilization of the retarded and asked how we were co-ordinating with the federal government on this particular matter. In response, I would like to indicate that the interministerial committee on medical consent was in touch with the federal Department of Justice and the Law Reform Commission of Canada on an ongoing basis during the development of its discussion paper, Options on Medical Consent. A member of my secretariat was on the interministerial committee that produced the two reports that went out to the public for discussion.

I would just like to add that the public response was very mixed. I think we are all very much aware of that.

The Minister of Health (Mr. Timbrell) announced it was not the intention of the Ontario government to introduce legislation in the area of medical consents for minors and mental incompetents. The reason was that lack of consensus in the Ontario community would make introduction of such sensitive legislation inappropriate. Therefore, the temporary ban on sterilization of those under age 16 is now permanent. As a result, no sterilizations of those under 16 years of age may now be performed in Ontario.

I have a copy of the statement the minister made in the House, but I am sure everyone is familiar with it.

Mr. Sweeney, Mr. McClellan and Mr. Blundy all made comments about the province reducing family benefits allowances when the federal government grants an increase.

Mr. McClellan: Or the Workmen's Compensation Board.

Hon. Mrs. Birch: Or the Workmen's Compensation Board. Federal family allowances are indexed annually and they do not affect payments made under the Family Benefits Act. Similarly, federal child tax credits are indexed annually and they do not affect FBA payments. The question, however, may refer to the situation when Canada Pension Plan payments are increased and FBA allowances are decreased accordingly.

There are two reasons for this, and I am sure the member is well aware of them. One is that CPP payments, by definition, are transfer income and, as such, must be

offset 100 per cent under the requirements of the federal Canada Assistance Plan.

The second is that the Family Benefits Act is the court of last resort by which Ontario sets a guaranteed income level. Since persons receiving FBA allowances have a variety of income sources, including but not limited to CPP and WCB, passing through increases in these income sources would erase the equity and the uniformity of the guarantee level inherent in that program.

As you know, the Ontario government, through the Ministry of Community and Social Services, increased FBA allowances on April 1, 1980, by an average of 10 per cent, independent of federal increases in federal family allowances and child tax credits.

Someone also asked yesterday what the rationale is for existing FBA levels and about the effects of inflation. I believe the question about the rationale of the Ministry of Community and Social Services in setting specific guarantee levels for income should be addressed to the minister himself. It should be noted, however, that these levels are subject to regular review and revision. No necessary relationship to minimum wage levels is maintained. I am sure when the minister is here for his estimates when we return in the fall, he will be pleased to answer this question.

Mr. McClellan: He has dodged the question for the last five years.

Hon. Mrs. Birch: At least he is consistent. I didn't mean to be facetious.

Mr. Sweeney raised the constitutional issue.

Mr. McClellan: Can we come back to that? I think you may have missed the point of my question. Do you want to proceed or can we have some conversation?

Hon. Mrs. Birch: We can have some conversation.

Mr. McClellan: The point I was trying to make is that you can deal with the problem of equity by increasing the social assistance rates every time there is an increase in Canada Pension Plan or Workmen's Compensation Board payments.

I understand the dilemma you have because of the requirements of the Canada Assistance Plan. I also understand the argument that you don't want to create inequities between classes of social assistance recipients; between those who are receiving family benefits and Canada Pension Plan and those who have only social assistance, family bene-

fits. Okay, we concede that, but the way to deal with the other inequity is to take a policy decision to increase family benefits every time there is an increase in the Canada Pension Plan or in workmen's compensation.

I think that is the course of justice for Ontario. You haven't been able to keep pace with the effects of inflation in your family benefits rates. That is a simple, empirical reality. Since 1977, the cost of clothing has gone up about 24 per cent, according to the consumer price index, and the family benefits rates have gone up about 16 per cent.

The federal program is indexed; the Canada Pension Plan is indexed so there is an automatic cost of living increase. It is only just that those who are disadvantaged and vulnerable should be protected against the loss of purchasing power because of the effects of inflation.

What we are trying to ask you to do, just so you are clear, is every time there is an increase, either legislated through the Workmen's Compensation Board or automatic through the Canada Pension Plan, you adjust the social assistance rates accordingly, so everybody gets the benefit of a cost of living increase. The way the system works now, the only beneficiary is the Treasurer of Ontario who pockets the net difference between what he used to pay and what is now covered under the federal program.

Hon. Mrs. Birch: As I am sure the member is aware, we have a deliberate policy of not indexing, in the provincial government, and that is the policy issue that is in dispute. That would answer that particular problem.

Mr. McClellan: So the answer is, "No."

Hon. Mrs. Birch: Mr. Sweeney mentioned, as I said, a couple of constitutional issues. He wanted to know what the current status is of federal/provincial negotiations on social services cost sharing, what our position was and what the federal position is.

In responding to Mr. Sweeney's questions, the true cost sharer, that is the 50-50 sharing programs—for example, the Canada Assistance Plan—are not being renegotiated at this time, due partly to the unsatisfactory proposals put forward by the federal authorities in regard to resolving some of the issues. However, the provincial social service ministers have indicated their wish to Madam Begin to discuss various problems under CAP and we will be discussing this list among ourselves, in September.

Regarding the so-called deconditionalized funding arrangements for established program funding, these are due to be renewed in 1982 and discussions are about to begin. However, the Hall commission report may be relevant in this connection, as these arrangements affect health, educational and other spending.

Mr. McClellan: If I could just ask one question; have there been negotiations since the change of government in February?

Hon. Mrs. Birch: No.

The other question he asked was what is Ontario's role in the provision of social services in connection with constitutional negotiations and what is the secretariat's role in the negotiations.

Social services is not one of the 12 agenda items for constitutional negotiation, however the more general issue of the clear demarcation of federal/provincial responsibilities does, in the government's view, include seeking concessions for provinces wishing to exercise more responsibility in selected areas; including, for example, social, cultural and local issues.

Ontario would expect later negotiations following the September meeting, to include the selected provincial interests in support of which the secretariat will be assisting in the articulation of the provincial position regarding social issues.

Mr. Sweeney also asked about the involvement of the Ontario Youth Secretariat, in particular, with youth problems. He noted yesterday there are quite a few ministries which operate programs of significance to youth. I think it is fair to say the cabinet committee structure provides a very effective mechanism for co-ordinating youth issues which cross ministerial lines of responsibility and the majority of such issues are considered by the cabinet committee on social development. As Mr. Terry Jones, my parliamentary assistant, mentioned yesterday, he attends meetings of the cabinet committee and the youth secretariat certainly has a direct voice in discussions of policy proposals.

3:50 p.m.

Recommendations by the cabinet committee are normally considered by the policy and priorities board of cabinet. This ensures that policies being proposed are consistent with related activities in all the government ministries.

In addition to the co-ordination that takes place through the cabinet committee process, the youth secretariat frequently takes

the lead in issues related to youth that involve a number of ministries.

Two fine examples, I believe, are government participation in the secondary school co-operative education program and the promotion of a career week in schools and communities across Ontario. Both of these activities are discussed more fully in the material that has been distributed to the members of the committee.

In the past few years other similar activities have included the study of youth and alcohol carried out by my parliamentary assistant, and a review of the use of the age of majority in all provincial statutes.

However, the most important co-ordinating activity of the youth secretariat, I believe, is clearly in the area of youth employment. I am sure most members are aware that the youth secretariat is responsible for policy development, program promotion and evaluation for both the Experience program and the Ontario Youth Employment Program. This year these two programs are expected to provide more than 60,000 employment opportunities.

In addition to these program-related activities, the youth secretariat has extensive contacts with the federal government and with the Ontario Manpower Commission to ensure close co-ordination of youth employment initiative.

I think Mr. Sweeney mentioned yesterday as well his concern about vandalism and wondered if anything was being done at the moment in relation to a study. I would like to mention, through the Attorney General's office Judge Lucien Beaulieu has been assigned to do a study on vandalism. That study is expected to be reported back, I think, in December.

Mr. Sweeney also raised the whole issue of birth control and family planning. I just want to assure him that we believe there is adequate family planning material available and that the Ministry of Health uses local boards of health as distribution centres. However, we do have a problem as not all boards of health will distribute birth control materials, particularly rural boards of health or those in the north.

Although we had introduced a program a few years ago with 100 per cent funding to encourage local boards of health and health units to promote this particular program, we found there was a great deal of resistance. Unfortunately, it is not available to everyone in the province.

However, the Minister of Health is requesting that mandatory core programs be

established by local health boards. We certainly anticipate that family planning would be one of those core programs.

Mr. McClellan: How many boards of health do not provide family planning services? Do you have a list?

Mr. Backley: No, we don't have a list. My guess would be that all 44 of them provide something. It's a question of whether you consider it to be an adequate service or a token service.

Mr. McClellan: Could you provide members of the committee with a list of the boards of health which, in your opinion, provide, first, an adequate family planning service; and, second, a list of those which provide an inadequate service?

Hon. Mrs. Birch: That might be a rather subjective judgement. The boards of health were given an option. They could either provide it through their own facilities or they could contract it from a local agency. So there is the question of who is providing the best form of family planning. But we can get that information, I am sure, quite easily.

Mr. Sweeney also mentioned family life education. There are two ministries who address family life education programs in the school. The Ministry of Education is responsible for family life sex education. The Ministry of Health is responsible mainly for the family planning education.

The ministries of Education and Health have a working group on school health education, but they are both looking for ways to improve school health education, hoping to include family life. Local health units have staff who sit on the curriculum committees of local boards of education and health input is provided through these committees.

The material provided through local health units is mostly on family planning. They have the option to produce their own material or to purchase material already made. The Ministry of Health has a film library that includes films on child development in family life, and has produced six pamphlets and two posters on family planning that are distributed to the schools through the health units.

The option to produce or purchase material is left to the local health unit so it can provide materials that are appropriate for local needs. Where shortages of this nature have been encountered, the ministry is urging the provision of adequate supplies and does assist by providing funding.

Mr. McClellan made a number of comments regarding co-ordination and programming for the International Year for Disabled Persons. I did point out that our secretariat will be co-ordinating all programs in order to avoid duplication and it is hoped to enhance the overall impact of the International Year for Disabled Persons program.

While employment may seem the key to some, what is really needed is an approach that touches on all the critical factors in the life of the disabled person. Firstly employment, housing, transportation, treatment and rehabilitation services, education and leisure time. Now this is the approach taken by the United Nations secretariat in its world plan, and the Ontario proposal is intended to be consistent with this approach. So we are all on the same wavelength.

In the area of employment the Ministry of Labour will be continuing to provide leadership on a number of fronts in regard to the private sector—for example, a follow-up on the Hamilton demonstration project developed in co-operation with the March of Dimes, with similar projects in several other centres, as well as the employee consulting service, which will be expanded to encourage employers and support employers.

Mr. McClellan: This is the Ministry of Labour?

Hon. Mrs. Birch: Yes. In addition the ministry is part of the Experience '80 youth employment program, and will be employing 20 disabled youths in the social service sector and private sector in the community to develop necessary work experience for future employment. This year's co-ordinator, by the way, is a young blind student, Anne Musgrave.

The Ontario Manpower Commission, in co-operation with the federal authorities, is conducting a review of employment services for the disabled with a view to developing employment strategies for the disabled. Within government, the Civil Service Commission developed a mechanism for employing disabled and disadvantaged people in the civil service. The Council for Equal Employment for the Disadvantaged refers a candidate to the Civil Service Commission. The various ministries and agencies of the government post job openings and the role of the special staffing officer is to match jobs and clients.

As well, the Civil Service Commission has started a work stations program where candidates are placed for four weeks in a job to

develop work skills and to complete an assessment of their capabilities.

A member raised the whole question of quotas. We, however, do not believe that quotas are the best policy for employment of disabled persons. I visited Quebec recently and I was impressed by their policy of requiring employers of a suitable number of employees to submit a formal plan for the employment of disabled workers. Rather than set percentage quotas, I believe encouragement of employers to have an affirmative action plan for disabled persons is more likely to give satisfactory results in the long run.

Mr. McClellan: That's a mandatory affirmative action program?

Hon. Mrs. Birch: Yes. But in Quebec they haven't proclaimed that part of the act because they are still trying to encourage, and they are waiting for the work plans to be submitted. The minister feels that is really the best approach to take. There is still a lot of education to be done, not just with employers but with disabled people themselves. So I think that perhaps is a much better route to go.

4 p.m.

In the area of housing, currently there are 209 units in group homes and apartment units receiving home support services. Services are being financed under the ministry act as 100 per cent funding until a new financing mechanism is established.

As you know, the Ministry of Community and Social Services is undertaking a community consultation process to review its policy and to determine the most appropriate way to deliver and fund home support services. The projected goal is 80 per cent-20 per cent financing, with the municipalities contributing their share of the funding and providing administration of the services. As this is a community program I believe it is appropriate for the municipalities to have a financial involvement.

In the area of transportation you will see from the material we supplied in advance of the estimates that in 1979, 30 communities were providing transportation services for the physically disabled and a majority received a subsidy from the Ministry of Transportation and Communications. It is projected that up to 60 communities will be involved in providing transportation services within two years.

Scheduling problems and acquisition of vehicles to service the demand are in the jurisdiction of the municipality. Clients of

the service must be registered and if there is under-enrolment, as there is in Metro Toronto, the municipality is often reluctant to increase services. However, coming up to 1981 and International Year for Disabled Persons there will be an ongoing program from the ministry to encourage more and more municipalities to become involved in this very important program.

Mr. McClellan: What about the problems you have?

Hon. Mrs. Birch: Problems of training?

Mr. McClellan: Scheduling.

Hon. Mrs. Birch: They are all going to be addressed.

Mr. McClellan: By whom?

Hon. Mrs. Birch: By the Ministry of Transportation and Communications.

Mr. McClellan: And what are they going to do?

Hon. Mrs. Birch: They have not set out all their plans but those areas about which you have just expressed some concern will be dealt with prior to 1981. They are in the process of developing some programs that will speak to those concerns, particularly the training of the drivers which I think is very important. In particular, we have had a few problems here in Metro Toronto.

Mr. McClellan: When can we expect this program to be announced?

Hon. Mrs. Birch: They are now being assessed by the ministerial committee. They are not all finalized. Approval has not been given for all of them but I anticipate they will be coming to the policy field for discussion and recommendations passed on to cabinet.

Mr. McClellan: This summer?

Hon. Mrs. Birch: Yes, some time this summer.

Mr. McClellan: We will look forward to that because I think all of us applauded the government when the program was announced, and I think all of us gave it a fair trial without being critical. I have withheld critical comment over the past year, hoping that some of the things we were seeing were simply startup problems. I think it is clear now that these are not simply startup problems, that there are some serious structural problems in the model and they are going to have to be addressed, because I am concerned that people are at risk.

I am also concerned about the lack of flexibility in the scheduling. I am speaking simply of Metro Toronto because that is what

I am familiar with. If we say to the physically handicapped, "You have a right to full participation in normal community living and all of its aspects," that includes more than just going to and from work.

Hon. Mrs. Birch: That is certainly the philosophy of this government and I think we have made it clear that is the direction in which we are going to go. Like any other new program it does have a lot of kinks that have to be ironed out but I think the ministry has really worked very hard and has attempted to provide a very good service. I think it should be encouraged. We certainly recognize there are some problems and are hoping to be able to cope with them.

The Building Code Act, part V, was discussed yesterday. In April I agreed with the Minister of Consumer and Commercial Relations (Mr. Drea) that Mr. Bob Waterhouse, our provincial co-ordinator of rehabilitation services, should convene a meeting involving Mr. Clarke, of the Ontario Advisory Council on the Physically Handicapped and with Mr. Adams, of the Ministry of Consumer and Commercial Relations, so those differences which you referred to yesterday could be aired and a consensus on appropriate amendments to the building code could be reached.

Mr. Waterhouse and his ad hoc committee have been meeting regularly and it has been resolved that, for example, minimum 30-inch doorways will guarantee accessibility to apartment facilities. Mr. Graham will be discussing this with representatives of the various building trades and the Ministry of Consumer and Commercial Relations will establish a further study group with broad representation from industry and provincial organizations for the disabled.

The matter of accessibility to the work place is still under consideration by that committee, but I am optimistic that, with our Mr. Waterhouse meeting with them, some of the problems will be addressed and will have some satisfactory conclusion.

Mr. McClellan: We will come back to that.

Hon. Mrs. Birch: That is fine, unless you want to do it now.

Mr. McClellan: No, I would rather come back to it.

Hon. Mrs. Birch: One of the questions that Mr. McClellan raised yesterday was he inquired when the promised legislation on funding for home support services would be ready. In responding, I would like to inform him that the home support services consultation process is continuing with the preparation by a ministry staff group of a policy

paper which will be reviewed by a group including representatives of the provider groups. The Ministry of Community and Social Services expects the process to culminate in specific proposals by spring of next year.

However, if there are more specifics on which you would like to be informed I am sure Mr. Norton would be prepared to do that in his estimates.

You also raised the issue of volunteers and pointed out that in your community there might not be volunteers; in fact almost everyone in that community might be elderly. In responding, the ministry advises it is not the role of the Ministry of Community and Social Services to be a direct service provider, but rather that local initiative services are preferred.

To encourage local initiatives the Ministry of Community and Social Services is prepared to provide startup funds with the community to be encouraged to participate in the financial responsibility. It is suggested, however, that many of the elderly themselves are eager and capable volunteers. The ministry does make provisions for assisting those able to volunteer by offsetting the expenses of their voluntary activities. However, where gaps in service availability occur, decentralization of the Ministry of Community and Social Services' functions allows the local area offices to identify the gaps in services and to stimulate local communities to develop such services themselves.

You also raised the question of institutional support higher than community support. In this connection, the members are reminded that community support rightfully includes such benefits as guaranteed annual income system supplement and tax credits for seniors, housing subsidies and Ontario Hospital Insurance Plan premium subsidies for persons 65 and over, in addition to what we refer to as home support services.

These other benefits also contribute to the individual's ability to remain in the community and they all represent an expenditure of about \$750 million.

Mr. McClellan: They still do not balance out. If you add up Gains, OHIP, tax credits and support services you are still below the cost of accommodation in a municipal home for the aged.

Hon. Mrs. Birch: But it is getting very close.

Mr. McClellan: No, it is not.

Hon. Mrs. Birch: It is getting close.

Mr. McClellan: It is not close. It is still below the Statistics Canada poverty line for a single pensioner and just barely above it for a couple.

Hon. Mrs. Birch: A single pensioner who at the moment is receiving the Gains level of \$5,200 plus the other OHIP, drug coverage, housing accommodation and support services would bring it close to \$10,000.

Mr. McClellan: Ten thousand dollars?
4:10 p.m.

Hon. Mrs. Birch: Yes. For the figures we have looked at with a couple receiving the same benefits, their total income with the programs that are available to them would be up around \$13,000 to \$14,000.

Mr. McClellan: Are you sure of that information? Can you give us a breakdown?

Hon. Mrs. Birch: Yes, I can easily do that.
Mr. McClellan: I would appreciate seeing that.

Hon. Mrs. Birch: Now to get to my favourite topic, day care. There is no staff level interministerial committee for day care—

Mr. McClellan: I wish you would tell the Minister of Labour that. I think she should appreciate—

Hon. Mrs. Birch: They have their own program on day care, as you know, looking at the whole issue of day care in industry. It relates specifically—

Mr. McClellan: I am sorry—the Minister of Education (Miss Stephenson).

Hon. Mrs. Birch: Oh.

Mr. McClellan: I always think of her as the Minister of Labour.

Hon. Mrs. Birch: It is not interministerial, but Education and Community and Social Services have an ongoing consultation about day care.

In addition to the consultation paper on day nursery standards that was released in late March 1980, over the past year the children's services division has been conducting a review of current day care policy and programs.

Mr. McClellan: Who is doing that?

Hon. Mrs. Birch: The staff. It is being done at the staff level, children's services division.

Mr. Backley: It is not at the secretariat level.

Hon. Mrs. Birch: Not the secretariat, no. It is the Ministry of Community and Social Services' staff, children's services division.

Mr. McClellan: Are you sure of that?

Hon. Mrs. Birch: Yes.

Mr. McClellan: Did they tell you they were actually doing that? Did someone tell you that?

Hon. Mrs. Birch: As I have travelled around the province I certainly have heard the comments of people who were interested, who had been involved in discussions in their particular area and of certain comments and concerns about some of the issues that were being discussed. Yes, I assume that—

Mr. McClellan: My curiosity is piqued because when I discussed it with staff within the children's services division they did not seem to be aware of any work that was taking place on the question of day care policy.

Hon. Mrs. Birch: The consultation paper is there because I have had people speaking about it.

Mr. McClellan: I am not talking about the consultation paper on standards. I am talking about a policy position paper on the place of day care in the scheme of things.

Hon. Mrs. Birch: Oh, the policy paper has not been determined yet. It has not been to policy field.

Mr. McClellan: Nobody seems to be working on one either.

Hon. Mrs. Birch: The consultation program has gone on.

Mr. McClellan: I know. I am not interested in the discussion that is taking place on the green paper on day care standards. I understand that process.

You are at least suggesting that some kind of work is taking place on the staff level around preparing a provincial policy paper on day care that would set out what this government's view of the role of day care in our society is and should be, and how it will grow and develop, et cetera. But I do not understand who is doing that, if anybody. I do not think anybody is, quite frankly.

Hon. Mrs. Birch: Oh, yes, it is being done. We expect it will be available for public distribution by mid fall, 1980. They are preparing a paper for public distribution. It would provide information on day care services, outline the scope and nature of ministry policy with respect to day care services, outline proposed improvements and initiatives that will be undertaken by the ministry, and identify issues and pro-

posals upon which feedback is specifically being sought by the ministry. As I say, we expect that paper to be ready for public distribution this fall.

Mr. McClellan: But you are not sure who is working on that within the children's services division.

Hon. Mrs. Birch: No, not the names, but I know it is being worked on.

Mr. McClellan: I will try again to find out.

Hon. Mrs. Birch: While a day care review has been under way for more than a year and with considerable intensity for the past nine months, it needs to be recognized that the issues and considerations involved are both complex and important to everyone who is interested in this area of ministry responsibility.

The review has also involved the collection of information not previously available and informal discussions with a variety of individuals and organizations involved in the field. So I can just assure you that by mid fall we should have the policy paper on day care available.

Mr. McClellan: I will believe that when I see it. What about the recommendation of the Ontario Status of Women Council for a task force to be set up at ministerial level to look specifically at the question of day care in the schools. Is that being proceeded with or has that recommendation been rejected?

Hon. Mrs. Birch: I couldn't tell you at the moment. But the status of women council did have an opportunity to meet with the people from the day nurseries branch and were able to submit their recommendations directly to them. So they have had an opportunity to put forward their own particular recommendations—I haven't seen the paper—and I won't know until it arrives in policy field, what's included in the policy paper and the recommendations.

Mr. McClellan: But aren't you the minister who is responsible for responding to recommendations from your advisory councils, in the sense that you say, "Yes, we are going to do this and here's what we are going to do," or, "No, I'm sorry we can't do that at this time"? That's what your little black book is all about, I understand.

Hon. Mrs. Birch: As I said, everyone who had an interest has had an opportunity in developing a new policy. The recommendations from the Ontario Status of Women Council were considered and a policy paper by the people in the day nurseries branch. Their recommendations were passed from our

secretariat on to the people in the day nurseries branch to be included in their policy paper. Now the policy paper is just being put together at the moment. I have not had an opportunity to see it. I will when it comes to policy field.

Mr. Bäckley: Perhaps I could give you some figures about day care programs in schools, which was one of the points you were raising. Between 19 and 20 per cent of all day care programs, over 302 programs with about 9,000 licensed places, are actually in day nurseries and in schools.

Mr. McClellan: But we are not simply talking about the use of physical space, although we are talking about that. At least when I talk about day care within the school system, I'm talking about taking day care out of a welfare context and putting it into an education context, so it will become available as a universal service for all who need it, available in precisely the same way that education is available for all who need it.

Hon. Mrs. Birch: Yes, I'm well aware of that—

Mr. McClellan: You don't seem to be inching any closer to that idea. You still define day care as a welfare service which will be available on a subsidized basis to identified disadvantaged minority groups. I mean that's the basis of provincial day care policy.

Hon. Mrs. Birch: No, I don't think so.

Mr. McClellan: Well, sure it is. If you want a day care subsidy, you have to be low income or have some other kind of a disadvantage, a mental handicap for example. And if you meet those criteria, then you are eligible for subsidization, and if you don't, then you have to pay the market price. And the market price is simply out of sight for low and middle income families.

It is a welfare service. It's funded under the Canada Assistance Plan the same as any other welfare service in this province is funded and I'm saying the time has come when, in a modern industrial society, that's simply inadequate. In a society where almost 50 per cent of the work force now is made up of women, and a substantial number of those women have pre-school children, it's totally irresponsible for the government to continue to bury its head in the sand and pretend that day care isn't an absolutely essential service that needs to be provided on the basis of universal access.

I don't know where this argument is being reflected in the policy discussions that are taking place. I suspect nowhere. And I suspect that when we get the policy paper in

the fall, we'll have another reiteration of day care as a welfare service, which would be really lamentable.

Hon. Mrs. Birch: This is something that is being discussed by the ministries of Education and Community and Social Services and that we will just have to wait the arrival of the policy paper at our field.

4:20 p.m.

Mr. McClellan also made some comments yesterday regarding pensions and what the secretariat's role would be when the Royal Commission on the Status of Pensions in Ontario reports. Earlier this year the secretariat reviewed the status of current activities on pensions in anticipation of the recommendations of the royal commission. This review included discussions with staff in other concerned ministries and an examination of recently published studies by the Economic Council of Canada and the joint Senate-House of Commons committee headed by Senator David Croll.

We recognize that the recommendations of the royal commission are likely to have a very major impact on both the economy and the social structure of Ontario through to the next century.

In addition to our own activity in the area, the Ontario Advisory Council on Senior Citizens did make a direct presentation to the royal commission when it commenced its public hearings. The council has since made a number of recommendations to the government and all these will be considered once the royal commission releases its recommendations. We understand that it will probably be fall before it does.

Mr. McClellan: That's the latest?

Hon. Mrs. Birch: That's the latest I have on it, yes.

Mr. McClellan: It was supposed to be last fall.

Hon. Mrs. Birch: Yes, I know.

Mr. McClellan: Then it was supposed to be at Christmas, then it was supposed to be in the spring, then it was supposed to be in the summer and now it's supposed to be in the fall.

Hon. Mrs. Birch: I think an indication has been given that this is about the last extension they can expect to receive and that we are awaiting that report. There are a lot of policy decisions awaiting it and its recommendations. We are all very anxious to see it.

Mr. McClellan also made some comments about our family conferences and the whole route we are going with them. He suggested

that what we really should be doing is analysing government programs to determine their impact on families, finding out what the government is doing in its ongoing programs and how they affect families.

I would like to emphasize that I believe very strongly that before any changes are made to accommodate families we have to do a very thoughtful review of the needs of families in Ontario. It is for that very reason we have hosted four regional conferences and have spoken directly to 1,200 people at those four regional conferences. A great deal of interest and concern was expressed by the people who attended those conferences and I certainly believe they represent families. We discussed which programs do indeed strengthen and support family life.

To have government employees review the government's legislation and programs and analyse their impact on the family is too limiting. We believe it is much more important to listen to families themselves. It is for that reason we published the compendium which you showed yesterday and which provides a very brief description of all the Ontario government programs that assist families. It encourages informed discussion at these meetings.

In view of the many letters, briefs and requests from academics for funding to publish papers, there appears to be a great deal of analysis going on and a great deal of interest being exhibited by people in the social field who would like to have the benefit of the information we are accumulating from all of these meetings that are being held.

I feel very strongly that we are going in the right direction. When we have had an opportunity to evaluate all of the information we have been fortunate enough to garner over the past few months, we will have something to sit down and look at with a view to improving the legislation or the programs so that in fact they do support family life.

Mr. Blundy raised a question about an issue in his riding, Heritage House. I have some information but I would rather wait until I have further information before I make any comments. I will speak directly to Mr. Blundy about that issue.

The chairman had a couple of questions and presented me with a book which I have started to read. It is very interesting. He was asking about support for Canadian authors.

The Ontario Arts Council has a program of support for Canadian authors. Under this

program grants of up to \$4,000 per year are made to Canadian authors on the recommendation of Ontario-based, Canadian-owned publishing houses. While recommendations must come from a publisher they are quite free to support any author they consider as having potential because there are no obligations on either side. The arts council feels that it is important for publishers to be involved because they are in the best position to assess a writer's potential and appeal.

At the present time there are 56 publishing houses taking part in the program. You or your friend may obtain a list from the Ontario Arts Council.

In addition to the above program, Winario offers assistance to community groups and organizations that wish to sponsor a publication of local interest. This program could be of assistance to a person who, for example, is interested in writing about local history and similar subjects. Perhaps you can pass that information along. It might be helpful.

The other issue the chairman raised was the co-operative education program at the University of Waterloo. As I indicated yesterday, decisions on the amount of funding given to individual programs are totally the responsibility of the university. The government funds universities according to the numbers of students enrolled. The formula employed takes into account the costs of operating certain types of programs. This formula is determined with advice from the Ontario Council on University Affairs.

The universities, therefore, do not normally make representations to the Ontario Council on University Affairs in respect of individual programs. I understand that the University of Waterloo did not make special reference to its computer program in this year's brief.

Under the current funding system the university would receive additional government grants were it to increase the enrolment in its co-operative education computer program. While I am not in a position to know why enrolment has been set at its current level, the university would have to take into account the availability of teaching staff and computer facilities. Perhaps you could pass along that information. It is a very excellent program and certainly should be encouraged.

I think that concludes my response to the questions that were asked yesterday.

Mr. Chairman: Thank you, Madam Minister. Is it the wish of the committee to see the audio-visual presentation?

Mr. McClellan: There are a couple of things I want to pursue before we look at that. At some point I have to go to the House and speak on the special education bill.

First, I have a horrible feeling that when I was talking about the first part of our series of suggestions around the International Year for Disabled Persons, I forgot to mention the key component with respect to jobs. That was with respect to direct job creation.

I do not know whether the secretariat has had the opportunity to look at the British Remploy model. Remploy is a crown corporation in Great Britain which manages and operates a series of manufacturing enterprises which employ something in the order of 20,000 physically handicapped people. It is a model which makes a lot of sense. It has been enormously successful and I know there is interest within the vocational rehabilitation branch of the Workmen's Compensation Board in the Remploy model. We know that from discussions with WCB rehabilitation staff.

I suppose the best thing would be to ask the minister or the deputy minister whether there is any serious study taking place of the British model and whether there is any planning taking place around the establishment of the model here in Ontario.

4:30 p.m.

Hon. Mrs. Birch: I can only respond that we have not sent anyone over to study that program. The Ministry of Labour has and I understand it has a lot of information and is looking at it. I do not know if it has agreed to include that in the package for our interministerial committee to consider but I would assume it would be there. They have a lot of information on that program.

Mr. McClellan: When are all these interministerial conglomerates going to come together and produce a set of job creation programs for the International Year for Disabled Persons?

Hon. Mrs. Birch: As I indicated to you, it is just being organized now. All the ministries are meeting through this interministerial committee that we have established for this particular year. They are submitting suggestions and those suggestions will be put together in a paper and presented to the policy field. I expect that will be happening within the next two weeks.

Mr. McClellan: To pursue the same area, do you expect to proceed on the issue of

jobs in the private sector by way of mandatory affirmative action legislation?

Hon. Mrs. Birch: I would not go so far as to make that kind of comment at the moment.

Mr. McClellan: Are you looking favourably upon mandatory affirmative action legislation? Are you studying it with interest?

Hon. Mrs. Birch: With considerable interest, yes.

Mr. McClellan: That would be an improvement, but I tried to say I did not think a quota system by itself would be a solution to the problem. You cannot simply pass a law and expect the private sector to accommodate the physically handicapped. There would have to be a major commitment to a government manpower program mandated to serve the handicapped, to recruit jobs, to provide job training, job counselling and job placement, to do a public education campaign, to work with employers around the needs of handicapped people. You cannot do without that.

Hon. Mrs. Birch: You took the words right out of my mouth.

Mr. McClellan: We have tried to make this point over and over again when we have been dealing with the issue, mostly with the Ministry of Labour and the Workmen's Compensation Board estimates.

Hon. Mrs. Birch: We feel very strongly that the quota system is not true integration, that that is not the practical route.

Mr. McClellan: I do not accept that. I think there is enough experience in western Europe to be able to say that the quota system can be effective. In some jurisdictions it has been effective. It is not the only approach.

Hon. Mrs. Birch: I can only repeat that I could meet with the minister in Quebec. He studied both systems in Europe and came back and made the decision that that was not really appropriate; that they were not as successful as he had been led to believe. That is why he has gone the way he has in Quebec.

Mr. McClellan: It remains to be seen, I suppose. Since we are not doing anything we are hardly in a position to cast stones at other jurisdictions that have at least made serious attempts. We have not done anything, really. We have relied on the voluntary workshop movement to provide shelter and employment for the physically handicapped. We have a relatively minuscule

program within the Workmen's Compensation Board and a relatively small program within the Ministry of Community and Social Services.

Hon. Mrs. Birch: We have one in the Ministry of Labour as well.

Mr. McClellan: You have another one in the Ministry of Labour, and if you had your way you would probably have a fourth one within the secretariat. Sooner or later all these competing ministerial empires are going to have to be abolished to consolidate all the services within one ministry and start to do a serious job.

It is like children's services where five years ago part of it was in Health, part of it was in Education, part of it was in Community and Social Services. The system grew into a state of complete chaos because of that fragmentation.

You do not seem to understand that the analogy holds true right to the end. You are going to have to rationalize services to the physically handicapped in precisely the same way, by moving them into one ministry.

I think the appropriate ministry is the Ministry of Labour. It should not be run as a welfare service. It is obviously not a health service. It is not an educational service. It is a manpower service. You have given the new minister a mandate to deal with manpower; it seems to me you should go the rest of the way and move all the programs into the Ministry of Labour and establish a provincial manpower program that has as its mandate, the provision of the full range of employment services to the physically handicapped.

I think you have accepted the principle in some other areas. We are not looking for welfare for the physically handicapped. That is why the transportation program is not in the welfare system, it is in the Transportation ministry.

Hon. Mrs. Birch: We were the ones who insisted it be there.

Mr. McClellan: With respect, the ones who insisted it be there were the physically handicapped people themselves. The handicapped community has made the argument over the years that it expects the services provided for it will be provided through the regular allied ministries and not through some special arrangement in an inappropriate ministry.

You have simply responded to what the handicapped community was saying and that was the course of wisdom. The course of wisdom with respect to the employment issue

is to consolidate the programs in the appropriate ministry, which is the Ministry of Labour, and end the discrimination between different classes of handicapped people. The service would be available on the basis of equality for everybody, not just for the fortunate few who happen to fall into the right slot and have somebody to go to bat for them.

Hon. Mrs. Birch: I would suggest that this is the direction in which we are going. It certainly was the direction back when we decided we had to have consolidation of children's services. In looking at some of the issues that affect the disabled in this province, again that is the direction in which we are going. We recognize their needs. We also recognize it is not appropriate for them to be classified as social problems on welfare. We will be addressing that issue very carefully.

Mr. McClellan: We will wait and see. I belabour the point because I was enormously concerned at the time Bill 188 was introduced that it had a new role for your secretariat. It looked like a complication of the problem rather than moving toward the solution.

I don't think it does anybody any good for you to start expanding work around the needs of the physically handicapped. That just makes the process of consolidation more difficult. If there is going to be a policy secretariat studying the needs of the physically handicapped it ought to be in the Ministry of Labour so the planning can start taking place for the development of a comprehensive program.

Hon. Mrs. Birch: We find it much easier to cross ministries, cross policy fields, when that direction is being taken from the secretariat and the planning goes from there. Then the decision is made where that particular service should be located.

What we are attempting to do is show some leadership and to try to bring in all the programs that affect the lives of the handicapped, the disabled, no matter what they are and to make sure that one common approach is taken. That is what we are attempting to do.

Mr. McClellan: Maybe. Can we talk about part V of the Building Code Act?

Hon. Mrs. Birch: Yes.

Mr. McClellan: This is not easy stuff to work through, particularly for somebody who does not know anything about building codes. I don't.

Referring to the process, I understood the Ontario Advisory Council on the Physically

Handicapped looked at the question of part V of the building code and made recommendations to the secretariat. A subcommittee was then set up, if I am not mistaken, which looked at the report of the advisory council and made a set of firmer recommendations which I assume have the status of proposed changes.

4:40 p.m.

If I am not mistaken, there were participants from the Ministry of Consumer and Commercial Relations at the subcommittee stage. I do not understand how it got so fundamentally off the study group. First there was the Ontario Advisory Council on the Physically Handicapped and then there was the study group. We had a set of firm recommendations come out of the study group and then somehow the whole thing got torpedoed by Frank Drea's Ministry of Consumer and Commercial Relations.

Could you tell me what it is that Frank Drea's ministry does not want to do, or what were his specific vetoes over the advisory council's recommendations as transmitted through the study group?

Hon. Mrs. Birch: I will ask the deputy provincial secretary to respond to that.

Mr. Backley: I cannot answer in specific detail. What I can say is the process was, as you rightly say, that the council's report came to the provincial secretary and was then forwarded to the Minister of Consumer and Commercial Relations with some suggestions. A study group responsible to the building code branch of the technical standards division of Consumer and Commercial Relations was formed to look at the amendments being proposed by the council. It completed its work and passed the comments on, primarily to the advisory council and Consumer and Commercial Relations.

The advisory council had some concerns as to whether all the proposals it had put forward were being dealt with and so, as a result, in April of this year we suggested that Mr. Waterhouse should chair a committee of representatives of the physically handicapped council and C and CR to resolve the specific problems they had. They are working through, as you say, a fairly complicated topic, but one example of the things they have resolved is the 30-inch doorway which was one of the major concerns, I gather, of the advisory council.

The basic concerns relate to the fact that items can be accommodated during the construction process at a relatively limited cost, but when one comes back to amending them

later when a building might be occupied by someone who is physically handicapped, there could be very substantial costs. It has been a question of trying to work through the building code with that in mind. I do not have a copy of the building code with me.

Mr. McClellan: Am I correct in understanding that the Ministry of Consumer and Commercial Relations wanted to exclude housing entirely?

Mr. Backley: And deal with apartments. Yes, I think that was one of the elements.

Mr. McClellan: Did they also want to exclude work places?

Mr. Backley: Yes, and that is under continuing discussion now with that small subgroup.

Mr. McClellan: Is there anybody here who can help us with some of the complexity of the detail?

Mr. Backley: Not with the specifics, I am afraid, no. I can give you more information subsequently, but not today.

Hon. Mrs. Birch: Mr. Waterhouse is out of town.

Mr. McClellan: Perhaps I could ask that the ministry prepare for this committee a detailed report outlining the recommendations of the Ontario advisory council and the current position of the Ministry of Consumer and Commercial Relations and what the points of difference are. The reason I ask this is that, as the minister will recall, the Legislature passed a resolution—somewhere in this mass of files I have the precise date—but that resolution was passed unanimously, I think.

It was a resolution put forward by my colleague, the member for Riverdale (Mr. Renwick), and it called for revisions of the building code to include residential accommodation. This Legislature expects that commitment to be honoured. I mean you people voted for it yourselves. I don't remember Frank Drea getting up and voting against it. I don't remember you getting up and voting against it either, Madam Minister.

Hon. Mrs. Birch: No, I don't think I did.

Mr. McClellan: No, you didn't. You supported it.

Hon. Mrs. Birch: I support everything that helps the handicapped—

Mr. McClellan: Right. Well, you obviously have some work to do within your own cabinet. I'm pleased at least that more discussions are taking place, but this committee expects to have more than a general or vague understanding of the difficulties. We would

like to know precisely what the points of contention are and we intend to hold you to the commitment that was made when that vote was taken. You can pass that along to Frank Drea.

When is the Ontario Human Rights Code amendments legislation going to be put before the House?

Hon. Mrs. Birch: I think I indicated to you I was sure it would be put before the House before International Year for Disabled Persons.

Mr. McClellan: It's going to be a really busy fall if all the things you say are going to happen actually happen, among other things. I think I've basically said what I wanted to say.

Hon. Mrs. Birch: Thank you. We will make sure you get the information you asked for.

Mr. Chairman: Shall vote 2701 carry?

Vote 2701 agreed to.

Mr. Chairman: This completes the estimates of the Provincial Secretariat for Social Development policy.

Thank you very much, Madam Minister.

Hon. Mrs. Birch: I would like to thank the critics. I think the concerns they expressed are shared by all of us and we will certainly be happy to respond with further information as soon as possible.

Mr. Chairman: I don't know whether anyone wants to see the audio-visual presentation or not. Does the committee want to have a look at that?

Mr. McClellan: I think I could deal with that. You know what my position is on group homes anyway. I don't have to restate it. I've already restated it a hundred times. I would like to see the presentation.

Hon. Mrs. Birch: I think we are really right.

Mr. McClellan: I think you are dead wrong. My colleague, the member for Mississauga South, is on the right track with mandatory legislation on parking spaces. I think you are being conned.

Hon. Mrs. Birch: Parking spaces are not quite as emotional an issue as group homes.

Mr. McClellan: If you see it as a human rights issue, as you always say you do, then you simply can't tolerate continued discrimination. Yet you do tolerate it. You might think that the miserable progress that's been shown over the last couple of years is significant, but I don't.

Hon. Mrs. Birch: It's an improvement. It is looking very good, very favourable. I hope

to be able to tell you when we return in the fall that there's been total success.

Mr. Chairman: Would the committee like to see the presentation?

Okay. While that's being set up, the Minister of Education mentioned to me that she would very much like to have hearings on Bill 82 dealt with in July if possible. The government whip had slotted our committee in the month of August for those hearings, starting August 19 and going all of that week as well as the following week, August 26. I want some direction from the committee on this.

Would you prefer July 2, 3 and 4, perhaps moving into the following week, July 8, 9 and 10?

4:50 p.m.

Mr. McClellan: Absolutely not. I do not mean to be irascible but these dates have been set for some time. People already have organized their summers around these hearing dates and have made firm commitments. I know all four members of our caucus have adjusted their summer schedule to account for the two weeks of hearings at the end of August and we can't change it. It's as simple as that.

These are times that were negotiated between the three House leaders and the whips. This committee is not going to change those dates.

Mr. Chairman: That's why I raised it, Mr. McClellan. I wanted to get the view of the committee.

The government whip had slotted those two weeks in August for the hearings. As you quite properly and rightly point out, that was a period negotiated between the government whip and the other House leaders. I am simply raising the concern that was brought to my attention by the minister who felt that she would like the hearings in early July because of some commitments she had.

Mr. Ramsay: For the record those alternative dates are probably the only ones that are convenient to me because I am on the select committee on constitutional reform. The dates that you have suggested for early July would fit in. The ones at the end of August do not.

Mr. Chairman: Yes, I have noticed the constitutional reform committee is sitting almost on a continuous basis starting July 14.

Mr. Ramsay: Maybe we are not on it for the summer anyway.

Mr. Jones: The July dates would conflict with the procedural affairs committee too, but is the point you are making, Ross, that

we should accommodate people? Naturally, if there is a way of doing it, the minister would want to do it, but is it the people who are coming forward?

Mr. McClellan: We have already made a determination about which members of our caucus are concerned about the special education bill and have adjusted our summer schedules on the basis of the agreement that was reached by the House leaders for August hearings.

I would point out another problem. This is a very complex bill and there are a lot of people in the community who want to appear at the hearings. To expect people to appear and to prepare their position papers, their briefs and their thoughts on a complex piece of legislation between now and July 3 is a bit of a disservice to the interested groups who will want to testify.

Mr. Blundy: I have a committee conflict as well in July, but not in August. None of my other colleagues, I believe, is in the same position. It is not very appropriate.

Mr. Chairman: That raises the other question about advertising. How widely do we want to advertise? Do we want to send letters out to specific groups named by all three parties? Do we want to advertise very broadly across the province in all the weekly newspapers?

How does the committee feel about that particular matter?

Mr. McClellan: I would like to have wide advertising. What is the cost of the kind of advertising that was done?

Mr. Chairman: Based on last year's budget for advertising, it is about \$8,000 a shot. That is to say, if we put an ad across all the weekly newspapers in Ontario it costs about \$8,000. That is based on last year's rates. Perhaps they have gone up. I think we could figure between \$8,500 and \$9,000 for advertising of that nature on a one shot basis.

Is that what the committee would like to do? Or would you alternatively consider proceeding on the basis of having each party submit a list of the interested parties who can then be notified through the Clerk's office?

Mr. McClellan: Do you want to start a steering committee? I do not like to speak on behalf of our critic who is not here. My personal preference is for advertising, but I would like an opportunity to discuss it with my colleague.

Mr. Blundy: I think I would like to talk to Mr. Sweeney as well.

Mr. Chairman: Could we set up a steering committee composed of Mr. Sweeney, who is the education critic, Mr. Kennedy and Dr. Bounsall?

Mr. McClellan: Yes. Since they are not here. I do not see any trouble at all.

Mr. Chairman: Perhaps we could notify them later in the day that they are on that steering committee and then they can make recommendations to the chair as to how we proceed.

Mr. Blundy: Would the chairman convey the good news to them?

Mr. Chairman: Yes, I will undertake to do that.

The committee viewed an audio-visual presentation from 4:57 p.m. to 5:07 p.m.

Mr. Chairman: Our meeting has concluded. We do not meet tomorrow and so we will see you all in August.

The committee adjourned at 5:08 p.m.

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Ramsay, R. H. (Sault Ste. Marie PC)

From the Provincial Secretariat for Social Development:

Backley, W. A., Deputy Provincial Secretary



No. S-27

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Community and Social Services

Fourth Session, 31st Parliament

Tuesday, October 7, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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Vice-Chairman: Kerrio, V. (Niagara Falls L)
Belanger, J. A. (Prescott and Russell PC)
Blundy, P. (Sarnia L)
Bounsall, E. J. (Windsor-Sandwich NDP)
Grande, A. (Oakwood NDP)
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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

TUESDAY, OCTOBER 7, 1980

The committee met at 3:42 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES

Mr. Chairman: I call the committee to order. There are two matters I want to raise with the committee before we embark on the estimates of the Ministry of Community and Social Services. Both relate to scheduling.

We have a referral of a private bill, Pr31, An Act respecting Canadian School of Management. We have to deal with that particular private bill in this committee. It was my hope that perhaps we could do that a week from tomorrow.

The minister cannot be here for estimates on October 15, I believe. I thought it would not likely take more than an afternoon to deal with the bill, so we have made some tentative arrangements to deal with the bill at that time. I wanted to alert the committee so that if you have any differing views you can let me know. Obviously we can always alter that arrangement.

Then there is the matter of the referral of the annual report of the Ontario Ministry of Health for 1978-79. That has to do with matters related to funding of hospitals and the perceived difficulties of some members in that regard. That will involve calling witnesses before the committee.

I understand it is not going to be a lengthy procedure—at least it is anticipated that it will not be—and I thought we could start that after the estimates of Community and Social Services have been completed, which would be roughly three weeks hence.

If members have any differing views on that or the other matter, I would be glad to hear from them.

Mr. McClellan: That sounds good.

Mr. Chairman: Is it agreed, then, that we proceed on that basis?

We are agreed.

Mr. McClellan: Perhaps it might be useful to strike a steering committee, not right now, but before we complete the estimates, to do some

planning. I suggest that opposition Health critics, yourself and a representative of the ministry might want to do that.

Mr. Chairman: I think that is acceptable. Are there any other matters?

Hon. Mr. Norton: While we're on the question of procedure, first of all I want to say I appreciate your co-operation in allowing me to be absent a week from tomorrow. I also have what may be a minor difficulty tomorrow, probably in the latter part of the afternoon. Originally I thought it would be at about a quarter after four; now I am told it will be at a quarter to five.

I have a meeting with the Premier (Mr. Davis) and some of my colleagues. I'm told that it has nothing to do with any impending cabinet shuffles—sorry to disappoint you all—but it does have to do with a matter of particular importance in the area of policy relating to my ministry. I would like, if possible, to have your dispensation to slip out at about a quarter to five tomorrow afternoon. They will send down a notice when the time has come.

Mr. Chairman: Why don't we work around that by starting at one o'clock?

Mr. McClellan: I have a suggestion to make in terms of how we proceed, since it is getting a little complicated.

I gather the minister has a fairly long opening statement. Mr. Blundy, I gather, is not able to be with us tomorrow. I suggest that we do the minister's leadoff this afternoon and then adjourn. I can do my leadoff tomorrow—we could have a shortened session to accommodate the minister's meeting—and then Paul Blundy can do his leadoff at the next sitting, if that makes sense. Otherwise the continuity gets pretty badly thrown off. I don't particularly want to start and then have to stop.

Mr. Chairman: How long will you be in your leadoff?

Mr. Blundy: I am not sure just how long it will be. I don't have a written statement on the number of things I want to talk about.

Mr. Chairman: How long is your statement, Mr. Minister?

Hon. Mr. Norton: I don't know how long it is in terms of time, Mr. Chairman.

Mr. McClellan: It is 76 pages.

Mr. Chairman: At two minutes per page that's about 150 minutes.

Hon. Mr. Norton: I think it is 75 actually.

Mr. Chairman: Obviously today is going to be minister day, with the minister's statement. Is what Mr. McClellan has suggested acceptable to the committee?

Agreed.

Hon. Mr. Norton: I have only one copy of the text. Can we get it to you from Instant Hansard tomorrow?

Mr. Chairman: Really? None of your staff has a copy that could be Xeroxed?

Hon. Mr. Norton: I don't know.

Mr. Chairman: It is so long the machine would not take it.

Hon. Mr. Norton: We were considering handing out copies but I anticipated not sticking with the text in certain points. I suggest we reproduce and distribute it as it is recorded in Hansard, if you follow me, because of revisions. I did not want to have to speak to an empty room either.

Mr. Chairman, members of the committee, I hope that the attendance of the committee today is not a reflection of waning interest in the social welfare of the citizens of Ontario.

Mr. McClellan: I spread the word that it is 76 pages long.

Hon. Mr. Norton: I was just going to say I hoped it was because the word got leaked that there are 75 or 76 pages of opening remarks. I will try to be brief.

At the outset I would like to review again with the members of the committee, some of the major programs and initiatives that the ministry has undertaken in an attempt to meet the needs of the people of this province. The estimates that I present to you today represent an expenditure of just under \$1.5 billion and account for an 8.3 per cent growth over last year.

3:50 p.m.

As we begin the 1980s I think it is worth while to reflect upon a very basic fact that all of us in this government have learned to live with on a daily basis, sometimes with great difficulty; that is, the finite nature of our financial resources in comparison to the extensive needs of the people we serve. Given this basic fact, it is our task to spend the resources that we have in the most responsible way that we can in an effort to obtain the maximum benefit and value for our citizens.

Almost three years ago to the day, having just recently assumed the portfolio of the Ministry of Community and Social Services, I reviewed with this committee the trends and the events within social services that the previous decade had displayed. I outlined what I felt to be the principles that guided the ministry in program development and service delivery.

As I reflect upon the last three years I realize that the six principles I presented have, if anything, increased in importance and continue to provide the framework for the initiatives the ministry has undertaken. I think it is worth while to review these six principles again and to exemplify how the programs and the initiatives of the ministry are guided by them. Very simply the principles are as follows:

Firstly, strengthening and maintaining the family unit; secondly, promoting individual and family independence and self-reliance; thirdly, assisting people in their own community wherever possible; fourthly, providing services to those in greatest need; fifthly, continuing the co-operative partnership among those delivering services; and, sixthly, making maximum use of the resources that we have at our disposal.

The first principle the ministry subscribes to is that of family strength and unity. It is based upon a very firm belief that the family is the fundamental unit in our society. In an era of rapid change and economic, political and environmental uncertainties, the family must remain as a stronghold. If the family unit is strong it can assist its individual members in coping with whatever problems they may face. Our programs must, therefore, be geared to supporting the family unit and ensuring that we do not even inadvertently undermine its integrity.

We recognize that at times a family may need help, and many of our programs are geared to providing this assistance. But it should be emphasized that this help must come in the form of initiatives that lead to strengthening the family bond and thereby providing the resources for the family to help itself. There are times, however, when families can no longer cope. At these times swift intervention becomes necessary for the safety and security of its members. We must be prepared for such eventualities but be ever cognizant of the fact that intervention beyond support services is the last resort.

The second goal of human service is to promote the individual's and the family's sense of independence and responsibility. The object of services is to help people with physical, emotional, mental and economic difficulties to live as full a life as possible, to enhance a sense of personal dignity and to create a climate in

which independence and self-reliance are encouraged. We remain committed to this principle.

The third principle we are guided by is the provision of services to people within their own communities wherever and whenever possible. It is important that individuals be permitted to stay close to families and friends in their community and be able to maintain and benefit from the personal support networks that have been developed there.

This principle also affords the community the opportunity to meet its responsibility to care for each of its members, thereby nurturing a further sense of commitment to each other's wellbeing. Much in the same way as we attempt to promote the integrity of the family unit, so too must we preserve and nourish the concept of self-determination and participation in the full life of the community.

Fourth, services must be available on a fair and equitable basis to ensure that those who are most vulnerable and in greatest need receive the first consideration. Human services to those individuals and families who lack the economic and emotional resources to help themselves will continue to be a priority.

Fifth, the delivery of human services must continue to be based on a partnership between municipal and provincial governments as well as private and volunteer agencies. Tapping the knowledge and the resources of local governments and agencies provides my ministry with a clearer picture of the needs and the services required to meet those needs. Fostering co-operation and co-ordination among the local bodies assists us in tailoring programs according to community differences, while at the same time avoiding costly duplication and gaps in social services.

Sixth, there is a continuing commitment to ensure that services are used as effectively and efficiently as possible in meeting the needs of people. As I stated previously, all of us face the limited resources with which to fulfil seemingly unlimited needs. If there were a plentiful cache of resources, choosing among programs and allocating dollars would be much easier. However, as dollars are limited, we face the difficult and the onerous responsibility of setting priorities, of making decisions based upon the best sources of information that we have available to us.

This places upon us the additional burden of ensuring that we are obtaining the best results; that, in short, we are obtaining the maximum return, if you wish, for the investment. We have this responsibility not only to the people who participate in the programs, but also to the taxpayers of the province.

I would like to share with you some of the ways these basic principles have been and are being put into practice through our programs.

The ministry's emphasis on programs which preserve and strengthen family life during difficult times is particularly evident in the area of counselling services. Through purchase-of-service agreements established by municipalities and ministry area offices with nonprofit agencies and individual counselling practitioners, low-income citizens in Ontario may receive counselling services for a variety of personal and family needs. Individuals and families who may obtain this service are in receipt of family benefits or general assistance.

Within the past two years, the ministry has also made it possible for municipalities to use this program to provide counselling to other low-income persons who are unable to cover the full costs of counselling. Eligibility on this basis is determined through a special needs test procedure administered by the participating municipalities.

With the objective of strengthening and maintaining the family unit, as well as serving unattached individuals, as its basis, this program concentrates on the resolution of personal, interpersonal and environmental problems which cannot alone be solved by the provision of income assistance.

Mr. McClellan: You don't cost-share that provincially, do you?

Hon. Mr. Norton: Yes.

Mr. McClellan: Since when?

Hon. Mr. Norton: We always have. In fact, the cost sharing has just been enriched this year.

Mr. McClellan: What is the provincial share?

Hon. Mr. Norton: Eighty per cent now. It was 50-50 until June. As of June 1, we enriched it to 80-20.

You are cutting into the next paragraph of my speech.

Mr. McClellan: Sorry.

Hon. Mr. Norton: You're going to hear it all again.

Ontario has a wide network of services in most areas of the province, such as family service agencies, Big Brothers, Big Sisters, and the YMCA-YWCA.

Consistent with our commitment to the family unit and to a partnership with community agencies, the ministry will provide approximately \$2 million in 1980-81 for counselling services. It is anticipated that more than 20,000 individuals and families will be assisted in this way. To encourage program growth for purchase-of-

service counselling in local municipalities, the cost sharing provided by the ministry was increased to 80 per cent from the original 50 per cent as of June 1, 1980.

My ministry is currently in the process of implementing the use of special needs agreements for developmentally handicapped children in residential care. These agreements are to be used in both the schedule one and schedule two facilities, as well as the community-based residential alternatives. The agreements outline in very specific terms the responsibilities of all parties involved in providing services to a retarded child. I am particularly enthusiastic that these agreements serve to strengthen the role of the parents in this process as the primary advocates for their children. In addition, through federal Canada Assistance Plan cost sharing, the introduction of these agreements will produce added funds to improve services for individual children.

My ministry is continuing the phased reduction of the number of residents in the ministry-operated schedule one facilities for mentally retarded persons and is preparing further clients from the institutional system to return to their home communities. This plan of deinstitutionalization is intended to ensure that all mentally retarded people who can benefit from community living are afforded that opportunity to do so with the assistance of support services if and as required.

This program has also served to reunite families and has provided the mentally retarded man, woman and child regular interaction with family and friends, and has benefited from a system of formal and informal support systems.

On the opposite end of the service spectrum, the establishment of community-based residential alternatives and a range of support services act as mechanisms to prevent unnecessary institutionalization. Support services such as parent relief, infant stimulation and behaviour modification provide assistance to families and through mediator training models teach parents to do programming with their children themselves. This not only maintains the family unit but also fosters family self-sufficiency.

4 p.m.

The ministry's estimates for 1980-81 in the area of community programs for the mentally retarded for children and adults total \$100.6 million and represent significant growth when compared with the 1976-77 actual expenditure in this area of \$40,551,100.

We recognize, however, that there are times a mentally retarded child cannot live with his parents. Family situations are different and the

ability of families to cope varies. In view of this, the ministry has allocated \$500,000 for use in foster-care initiatives for the mentally retarded. The basic principle is that where it is not possible for a child to return home or stay within the home, he should be afforded the opportunity to live in as home-like a situation as possible.

Given our belief that the family is the fundamental social unit, my ministry realizes that to be concerned about children with special needs is to be concerned about families. This has led us to the realization that family support policy and development was required to provide a coherent basis of response to the growing volume of requests for support services and to guide community service development.

Accordingly, we are in the process of developing a policy paper on family support. The final product is to include a state-of-the-art overview of support programs and approaches, formulation of a proposed approach for children's services in Ontario, and some more specific immediate initiatives.

The second basic principle, that of promoting individual and family independence and self-reliance, is, I feel, well illustrated by the ministry's new work incentive program.

As you will recall, I announced this initiative in September 1979. The establishment of the program reflected our desire to address one of the major problems in the existing social assistance system; that is the lack of adequate incentives and, in some cases, opportunities for recipients to move into an employment situation.

This problem was most acute for long-term social assistance recipients, particularly disabled persons in receipt of Gains, and the single mothers in receipt of family benefits. We are aware that many of these recipients would have preferred to have been self-supporting, rather than be dependent upon provincial social assistance. While some of the recipients manage to return to the labour force without assistance, others encounter far more difficulty. For some clients, there was little, if any, incentive to undertake full-time employment as many had few or no skills or labour force experience. Consequently, when they did find jobs, they often faced the triple barriers of low wages, few if any fringe benefits, and jobs which were less secure than welfare. As a result some remained on assistance even though they would have preferred to work.

In recognition of this problem, the ministry introduced the work incentive program in September 1979. Our objective was to provide

recipients with transitional financial assistance and fringe benefits and elements of security to permit them to become self-supporting whenever possible. The program was implemented in January 1980.

In June, I informed the members of the House of some of our preliminary results. Some four months have elapsed since my report and the results continue to be encouraging. As of the end of August, 1,384 clients had entered the work incentive program, 1,058 of whom were still employed. The average earnings of those clients on the program in August was \$593 a month. If the Win allowances—"Win" being an abbreviation that is now being used for work incentive program—and other income are taken into account, their average income is some \$712 per month, substantially in excess of social assistance levels.

There are other interesting aspects of the program as well. For example, the response has been province-wide, or general across the province. Some two thirds of the current participants reside outside the Metropolitan Toronto area.

In addition, of the 1,384 clients who had entered the program by the end of August, only 288 or 20.8 per cent have returned to family benefits. In other words, only one out of every six clients entering the new program has returned to social assistance or found it necessary to return to social assistance to date. While these initial results are promising, I believe it is still too early to determine whether this rate of attrition is representative.

I would also like to allude to the question of the Win program and day care. Members of the committee may well recall that some concern was expressed over the difficulties that single mothers entering the program might have in obtaining day care. Consequently, we designed our application forms to provide data on day care requirements. Thirty-eight per cent of single mothers indicated that they did not require day care, 39 per cent reported that they had made private arrangements, and the remaining 23 per cent indicated that their children were placed in day care centres and of that group some 80 per cent reported that they were receiving some form of subsidy on the day care costs.

Obviously, we cannot judge the success of any program on the basis of its first few months. However, as I have indicated on several occasions, I am cautiously optimistic about the response to date. I might say I am becoming, as time passes, less cautiously optimistic—more optimism but less caution. I intend to continue

to monitor the program and introduce improvements to this over the next year. Given the encouraging initial results, I think it is clear that we are proceeding in the right direction.

The ministry makes available a credit counselling program which is intended to assist seriously indebted persons in finding solutions to their financial problems. This service concentrates on helping individuals to develop or maintain self-reliance in the management of financial responsibilities. Working with clients on an individual basis, approved agencies have the expertise and the facilities to provide help in a way which is best suited to the circumstances and the needs of each of the clients.

In 1980-81 over 14,000 individuals will have been served by this program. In this way the ministry has recognized the significance of secure financial affairs in the maintenance of the family unit. To deliver this service effectively we are committed to a partnership arrangement with 28 nonprofit community agencies in the Ontario Association of Credit Counselling Agencies.

There are numerous programs operating throughout the province designed to promote the self-reliance of individuals and families. For instance, in the Thunder Bay area a teaching homemaker is employed to assist single mothers in receipt of family benefits or general assistance. Three times a year the teaching homemaker provides a 15-week course to groups of 15 single mothers. The course teaches basic life skills covering such topics as budgeting, participation in community affairs, personal improvement through furthering education.

About 45 women are served each year in that particular program at Thunder Bay and, of these women, nine usually find full-time employment. Others enrol in community colleges or may further their education in other ways.

The third principle of assisting people in their own community is exemplified by a number of initiatives that the ministry has undertaken. The majority of senior citizens and persons with physical and mental handicaps value their independence and want to live in the community among their family and their friends. The ministry is committed to ensuring that these groups of persons have a range of services which will enable them to live in their own homes or in the community.

The home support programs are a major part of the range of support services. The members will recall that in August of 1979 I announced the allocation of an additional \$2 million for home support services to assist elderly people to remain in their own homes with a maximum

degree of independence. There are approximately 200 home support service programs now operating throughout the province.

During this fiscal year the ministry will expend just under \$3 million for these services. The funding of this program is an interim step, with the longer range goal being the development of the new policy for home support services which I described earlier, and the subsequent drafting of new legislation by the spring of 1981.

4:10 p.m.

Mr. McClellan: Is that a firm commitment?

Hon. Mr. Norton: That is as firm as I can give it at this point. We are proceeding on target. The committee should have its recommendations ready by the end of October and our target is the spring of 1981 for the legislation to be before the House.

At present, there are 16 programs, under 12 acts, with home support components. And among these programs there are a variety of definitions of support services, varying criteria for eligibility, and a range of user charges. A rationalization of these services is needed in order to provide for a simpler, more understandable, and a more consistent approach to home support.

In developing a home support policy, the ministry has undertaken four separate but simultaneous initiatives. First, an internal review and analysis of the current situation. Second, a preliminary consultation with service providers and other interested parties conducted at the area level to obtain input on issues of common concern. Third, discussions with representatives of selected provincial associations providing services to the elderly and handicapped persons. And, fourth, discussion with other ministries and advisory councils: for example, the Advisory Council on Senior Citizens and the Advisory Council on the Physically Handicapped.

The aim of the consultative process has been to ensure that a co-ordinated local approach to local needs emerges, and that the approaches identified are capable of making the best use of available provincial resources. After the current round of consultations is completed, the draft policy paper will be circulated for public comment.

These plans and developments in the area of home support services will go a long way to assisting people to live in their own homes as long as possible without entering a residential care facility. However, home support services, by their very nature, do not meet the ongoing needs of the handicapped adult who requires

personal assistance periodically, throughout the entire day, seven days a week. Until recently, such adults had little choice but to enter an institution, such as a nursing home or a chronic care hospital.

In response to that situation, the ministry in 1976 commenced funding four demonstration projects along the following lines:

A number of units in a private apartment building, designated by the Ministry of Housing, are eligible for rent subsidies under their rent supplement program. The tenants are therefore paying according to their income.

The ministry is funding a charitable corporation responsible for admission of handicapped adults, hiring and scheduling of attendant care workers, et cetera.

Thirdly, in another situation attendants are available as necessary to assist the tenants in the activities of daily living, such as dressing, cooking, housecleaning, et cetera. The tenants may be eligible for Gains D payments with which they would then pay the rent, buy their own food and so on, unlike in an institution.

The original four projects had a total of 75 living units. In April 1980 the ministry—my ministry, that is—and the Ministry of Housing worked together to convert seven of the group homes, with some 78 tenants, formerly under the Charitable Institutions Act, to provide the same basic features as the demonstration projects, except that the group homes still provided shared accommodation.

In addition, in 1980 we commenced funding of five new apartment projects, totalling some 56 living units, and as a result, in a relatively short time frame, we have moved to subsidize the attendant care needs of some 205 physically handicapped adults.

If our plans for 1980-81 are successful, another 52 living units should be approved, bringing the total to 261. This kind of growth, I think, is evidence of the government's commitment to provide a true continuum of services, which allows everyone to live in a setting and a lifestyle which is as independent as possible, given their needs.

Another step my ministry has taken to ensure that people are provided with assistance within their own community is to change the approach to the funding of elderly persons' centres. Although the \$15,000 ceiling on elderly persons' centres' operating budgets is being retained, the obligation to fund the higher cost home support services has been removed, thus of the 120 elderly persons' centres 23 have been delisted and instead are being funded under the home support program.

The development of a range of accommodation and support services for mentally retarded persons is designed to provide assistance to people within their own community. Local associations for the mentally retarded and other generic agencies have developed a range of residential settings which provide intensive programming and high supervision to programs where clients live in semi-independent settings with minimal supervision. Family service agencies and public health units and other generic service deliverers are providing, with funds from my ministry, a range of support programs such as life skills, adult education programs, behaviour management services and so on.

The ministry has made significant revisions to the funding formula used in developing residential services for mentally retarded children. Until recently, the formula was on an 80-20 basis; that is the ministry provided up to 80 per cent of the funds with the remaining amount having to be raised through charging fees to parents and through charitable fund-raising.

This system was making it extremely difficult in many cases to develop residential services; in particular, the higher cost services required by profoundly handicapped children. The result was that few such programs were being developed.

In view of this, the ministry set about to change the funding formula by increasing the amount of money provided through government subsidy, requesting a three per cent contribution from the service deliverer and levying a user fee from parents based upon their ability to pay.

The special needs agreements I referred to earlier in my speech form the contractual tie between the parents, the ministry and the service deliverer. This funding formula is being implemented this year and I expect that more services for children will be developed as a result, thereby giving them the opportunity to remain in their community.

The adult protective services program provides case management services for mentally retarded adults to enable them to live as independently as possible in the community. The adult protective service program is delivered through purchase of service agreements with a variety of generic agencies. This enhances the process of integrating mentally retarded adults by providing the opportunity for nonspecialized services to assume responsibility.

In 1979, I announced a major initiative in the area of foster care. Foster care is consistent with the ministry's goal to develop small family-like community settings and to encourage a shift away from institutional placement for children

in need of care.

Under the direction of a provincial foster care co-ordinator and with the assistance of four regional foster care co-ordinators, the project began in July 1979. The project's mandate was to enhance foster care services across the province by alleviating, first of all, the trend towards reduced numbers of foster homes; secondly, improving the image of foster parents and correcting any misconceptions the general public may have about this service; increasing the number of agency staff working with foster families; and improving the kinds and range of support services to foster parents.

To increase the number of foster homes and to highlight the importance of foster care, two multimedia provincial campaigns were planned. The first foster care campaign, though controversial I would admit, succeeded in raising public awareness about the needs of children in care. A second major campaign is scheduled to begin this month as part of Foster Care Month. The objective of this campaign is to recruit new foster parents and to encourage people to volunteer in foster care agencies.

Mr. McClellan: I hope you got a new agency.

Hon. Mr. Norton: I am relying this time on my own gut reactions rather than professional advice. After my earlier experience, I decided I must learn to trust my gut reactions, even over the advice of overwhelming, countervailing professional advice.

Through the foster care initiatives, the ministry has allocated funds to children's aid societies across the province in order to hire additional staff for foster care. Workers support foster parents in part by guiding and supervising them and making decisions in managing children. The ministry also has developed a paper describing other kinds of support services necessary to retain and to develop foster family care. Funds will be made available to societies to develop these services as well.

4:20 p.m.

In addition, a consultation paper on proposed standards and guidelines for foster care has been completed and will be available soon. The paper represents the first attempt to set out practices and procedures believed to be essential for foster care and it is expected to improve the foster care system considerably.

My ministry is about to release a public discussion paper on secure services for children with special needs. The paper is designed to advance a philosophical position, to define an acceptable range of programs and settings, and to present criteria and procedures for admis-

sion, detention and release.

In June of this year, I announced the ministry's plan for four new secure treatment programs for emotionally disturbed children as part of an overall policy of ensuring both that secure services are available for those children who need them and that community alternatives are developed to ensure that as few children as possible are placed in locked settings.

Mr. McClellan: I've lost count of the number of position papers. Is it six?

Hon. Mr. Norton: You can be sure when we get into the area of children's services you are going to hear for some time yet to come—but these are not position papers.

Mr. McClellan: But there is a support service position paper; there is a secure treatment position paper; there is a foster care position paper; and the—

Hon. Mr. Norton: They are not all position papers. Some of them are discussion papers. Some of them are—

Mr. McClellan: Oh, I see. Carry on.

Mr. Blundy: So what's the difference?

Hon. Mr. Norton: The difference, you see, is if it is a discussion paper, you haven't taken a firm position.

Mr. Sweeney: So what else is new?

Hon. Mr. Norton: You're looking for further input, you see. You haven't closed your mind on the subject.

Mr. Sweeney: There's something called flow-through, too.

Hon. Mr. Norton: The secure treatment units are as follows: An eight- to 10-bed secure treatment unit for children at the Thistleton regional centre for the provision of long-stay care and assessment; a similar unit at the Children's Psychiatric Research Institute in London; and a similar eight-bed unit in eastern Ontario, the exact location of which is still to be determined—

Interjection.

Hon. Mr. Norton: No, it's not likely to be Kingston. In fact, we are looking primarily in the Ottawa area and areas further east than Kingston. The ministry is presently reviewing a number of feasible alternatives in that region.

And a secure short-term treatment unit in Toronto to replace the program that was previously provided by the Queen Street Mental Health Centre.

The first stage of the ministry's secure care policy was announced in 1978 and has resulted in the number of provincial training schools

being reduced from nine to six and their capacity lowered from approximately 800 to 525. I would hasten to add that those beds closed represented beds which were empty because of the fact that fewer children were being sent by judges to training schools. That, in turn, I think, is a reflection of the growth in both community alternatives over the years and also the development of juvenile diversion programs.

The funds saved from the closure of the three training schools during the past two years have been allocated to community alternatives, the new secure treatment programs and improvements in programs in the remaining training schools. The main emphasis has been placed on expanding the community alternatives to ensure that as many children as possible are cared for within the community, where the chances of success are greater and the unnecessary interference with the child's physical liberty is minimized.

This year approximately \$1.5 million will be spent to provide needed alternatives. These include specialized foster homes, specially staffed group homes and aftercare units, and support for wards placed generally in group homes.

Mr. R. F. Johnston: How many spaces are there in the short-term unit care?

Hon. Mr. Norton: I don't have the specific number. Only for Toronto you mean?

Mr. R. F. Johnston: Yes, the Queen Street replacement.

Hon. Mr. Norton: I don't have the figure here. Does anybody from children's services have a figure on that? Maybe you can get it while I continue.

Mr. R. F. Johnston: I just thought I'd mention it, sir.

Hon. Mr. Norton: Perhaps someone from children's services can get a figure for that while I continue. I am not sure of the exact number.

Members will recall that new initiatives were approved by cabinet in April of this year to provide, over a four-year period, assessment services and developmental and related programs to mentally retarded residents in nursing homes and residential homes for special care. I am pleased to report that these initiatives, now referred to as the triministry project, have made good progress to date in accordance with the implementation plan approved by cabinet.

A co-ordinator has been appointed to manage the project and additional staff has been hired according to the plan. A steering committee with representation from the three ministries involved—Health, Education and Community

and Social Services—has been established and has identified issues that must be resolved in 1980-81. A provincial liaison group is providing advice and information to the steering committee from the private sector.

Contacts have been made with a variety of organizations and personnel from all three ministries in the field. These contacts will lead to the formation of local advisory groups whose task will be to provide information linkages and recommendations regarding program development through the appropriate channels.

Staff of the project management unit have facilitated the commencement of the assessment program in the majority of nursing homes where clients under the age of 21 are residing. By October 31, 1980—the end of this month—we will have completed 100 comprehensive assessments. Perhaps in the discussions, when we get to that part of the review of the estimates, I will be able to discuss the further progress that has been made in that same area to this date.

I have been most encouraged by the enthusiasm and the co-operation with which the project is being met by the community at large. I anticipate that the goals of the project will be met in the coming fiscal year. I am pleased that this initiative has been undertaken. I feel it reflects the commitment of the three ministries involved to provide services for those in greatest need.

Much has been said recently about the development of day care services in this province. The ministry has continued over the years to improve day care services and assistance. We believe that children should have available to them good quality care and this is reflected in the approach to all our programs.

Mr. McClellan: Why don't you just skip over this?

Hon. Mr. Norton: I won't skip over that one. This is an area in which this province can be very proud of its achievements.

Mr. McClellan: You'll hear about that on October 23.

Hon. Mr. Norton: I'm sure I will. As long as everybody speaks the truth, I think there will be no confusion.

As I have stated, the ministry subscribes to the principle that the family is the fundamental unit in our society. We believe the primary responsibility for the care of young children is with the children's parents. However, when parents decide to seek care for their child for part or all of the day from someone else, I would suggest that the majority are competent to make suitable arrangements themselves.

Parents have available to them a choice of arrangements with neighbours, relatives, friends or other persons, licensed group day care or a licensed private home day care agency. Within this context the government does recognize that some parents, largely single parents with low incomes, will require assistance in meeting the cost of day care for their children. Our challenge is to apply the available resources in the best way possible to meet the needs of those children.

Over the past decade, on a provincewide basis, this ministry's day care expenditures, not including capital expenditures, has increased from some \$3,079,000 to an estimated \$47,989,000 this year, an increase of 1,400 per cent.

Mr. Blundy: Over what period of time?

Hon. Mr. Norton: Over this decade—from 1971 to now.

This amount represents more money allocated for day care than the amount given by any other province in Canada. I repeat, it represents more money allocated for day care than given by any other province in Canada. Although I don't have the precise figures, it almost equals the total amount spent in all the other provinces.

I would like to point out—perhaps we can discuss it a little later—that there are some interesting comparisons to be made when one looks at the per diem costs of day care in this province compared with other provinces. The amount of subsidy that we are providing to individual day care spaces or individual children in day care in this province runs, on average, almost double what is provided in other provinces. Other provinces have fixed ceilings on the amount they will pay.

4:30 p.m.

One must recognize that this province has been generous in its commitment in terms of the resources that were available, and that we have maintained a very high standard in day care, one which exceeds that of practically any other jurisdiction I know of.

Mr. McClellan: Despite Margaret Birch.

Hon. Mr. Norton: That was an unnecessary, gratuitous comment.

Mr. McClellan: It is always useful to have an historical perspective.

Hon. Mr. Norton: It depends on how short your memory is.

Mr. McClellan: It was not that long ago.

Hon. Mr. Norton: Your historical perspective might go a little bit beyond 1974 or 1975.

Mr. McClellan: I am sure you wish it would.

Hon. Mr. Norton: It would give a little better perspective maybe.

Mr. McClellan: For instance, back to the days of the Second World War when we had a full day care system—that is another perspective.

Hon. Mr. Norton: A full one?

Mr. McClellan: Relatively full.

Hon. Mr. Norton: We have also been able, over the same period of time, to increase the number of licensed group day care spaces from some 27,150 to 56,706. Licensed private home day care agencies now serve more than 4,000 children. That represents a total of more than 60,000 children who are being served in day care in this province.

To be more specific, licensed day care centre spaces have increased at an average rate of 2,000 per year from 1976 to the present. On any given day our ministry will be financially assisting the families of more than 18,000 children across this province.

As you can see, the ministry is continually keeping up with the rising need for more and better day care services across Ontario. Statistics Canada figures have indicated that over the last couple of years—not including this year, as far as I am aware; I have not seen any figures for this year—there has been across the country a net decline in the number of day care spaces. This is at a time when Ontario has consistently managed to maintain growth year after year.

You ought to bear in mind when you look at those kinds of figures what we have been able to do relative to other jurisdictions. You are looking at a net national decline, yet we have managed to maintain growth. In comparison, practically every other jurisdiction in Canada has not done so.

I would hasten to add that this year some of the other provinces have begun to move to try to increase the number of spaces available.

Mr. R. F. Johnston: Why you have even been moving in the last month or so in Metro Toronto. It has just been wonderful to watch the movement there.

Hon. Mr. Norton: We can get into a discussion of Metropolitan Toronto later on. I just hope that you have your facts straight.

Metropolitan Toronto, along with the other municipalities in this province, received their allocation of spaces, the 14 per cent target figure that so many people have reacted to: they thought it was a capitulation. It is probably exactly what Metro would have got had we been able to go through and complete, as we ultimately did, the negotiations on the final details of their contract.

Someone on the staff of Metropolitan Toronto's social services department panicked and in a state of alarm went to someone in one of the service providers, as I understand it, indicating that there was a shortfall—within days almost of finalizing the allocation with their budget—and talked about the figure of eight per cent, which was only the economic adjustment and did not take into consideration the growth in spaces for this year.

That gave rise to the histrionic headline in the Toronto Star which said that 1,200 day care spaces would have to be closed. That was nonsense. That was never the case. There were some errors of judgement on the part of the administration in Metropolitan Toronto because in fact they ended up opening more spaces than had been allocated.

That was resolved. We finalized the budget at 14 per cent, which they say is almost precisely what it would have been anyway. There is no magical increase there.

Metropolitan Toronto recognized there had been some errors on their own part which had created the appearance of a crisis at least, and the same day we finalized the position on helping them out of the situation of the additional spaces they had opened, they were advised by their administration that over the summer, again through administrative problems—they had failed to monitor where their money was going and what their commitments were, they had—

Mr. R. F. Johnston: They were afraid they were going to lose their spaces.

Hon. Mr. Norton: —they had committed themselves to care for more children than could be covered by subsidized vacancies and administration of the system failed to detect this.

Mr. R. F. Johnston: Your system has nothing to do with their administration. The administrator—

Hon. Mr. Norton: It certainly does have to do with the administration. You just wait for Mr. Kruger's report which I think will probably reveal that there are some significant changes which can be made.

One of the things we are planning to do before the end of this year that will help the centres is the move from attendance-based to enrolment-based funding. That ought to help to some extent, but the municipality will still have to know what it is doing.

A deficit of some \$400,000 was incurred over the summer. That has been partially rectified. I trust that the freeze issue is resolved and that no spaces will have to be closed.

Those crises which occurred this year need not have occurred and were not a result of any alleged underfunding on the part of the province. The municipality of Metropolitan Toronto could have avoided those, in my opinion, had they monitored what they were doing. As I said, we can perhaps get into that in greater detail later on.

Mr. R. F. Johnston: I am sure we will.

Hon. Mr. Norton: In fact, I expect I will be getting into that in some detail—maybe this evening with Mr. Cressy on the Loeb Report, or whatever it is called, on the CBC.

In December 1977 a ministry task force on northern priorities was established to provide an assessment of services available to children and to families in the north and, through consultation with each district, to determine gaps which exist in services. Working groups composed of judges, directors of service agencies, directors of education, public health units and other agencies were established in each of the nine northern geographic districts. Their deliberations resulted in new initiatives for the north. Since their announcement, we have witnessed the development of several new programs for children and families.

In the northwest, two observation and detention homes have opened, with some beds planned for the Rainy River district shortly. A new children's mental health centre in Dryden has received a startup grant and is in the process of hiring a director and the requisite staff. A community outreach program in the district of Thunder Bay now has community development workers in six communities.

In addition to these established programs, several demonstration projects are under way in the communities of Atikokan, Fort Frances, Minaki and Thunder Bay to test the effectiveness of new service delivery approaches to children and families in those communities.

Within the north-central area, two children's mental health services have been developed, Mental Health Algoma, and the Parry Sound District Mental Health Services. Two demonstration projects are also under way in the community of North Bay.

The area which encompasses the districts of Cochrane and Timiskaming has established a new children's mental health centre in Kapuskasing and a francophone unit at the mental health centre in Timmins, and has procured mental health workers for Moosonee. We are still encountering difficulties with our attempts to establish an observation and detention home in Timmins; the ministry is currently exploring

some other options for the development of this service in the Cochrane district.

The ministry has established 10 units for multisensory handicapped clients in our schedule one facilities. These units are designed to meet the special needs of the deaf, blind and the multisensory handicapped individuals through the provision of highly specialized care and through treatment and training programs.

Mr. McClellan: Schedule one, you said?

Hon. Mr. Norton: Yes, schedule one. We are currently looking at the needs in schedule two with a view to development of a similar program there.

Following comprehensive discussion and review of the working relationships between staff and residents in provincially operated mental retardation facilities, it was decided in March 1979 to introduce an environmental improvement program to mental retardation facilities.

4:40 p.m.

The program was introduced with the assistance of a consulting firm, ARA Associates, at the Huronia Regional Centre in Orillia in July 1979 and at the Oxford Regional Centre in Woodstock in November 1979.

It is anticipated the program will run for approximately 18 months. The purpose of the environmental improvement program is two-fold; to improve the living and working conditions and to increase the level of participation of the residents and staff, respectively, and to improve the overall environment of the facility through examining and revising policies and procedures which affect their lives.

The process appears to be running smoothly in both facilities with full co-operation amongst all levels of staff. A final report describing the process and an evaluation of its success will be forthcoming early in 1981.

The ministry will very shortly be releasing a discussion paper on child advocacy. It is not a position paper. This paper has two major objectives. If we did not consult you, you would be critical of us and when we issue consultation papers you ridicule us. We just want to keep you busy examining all these things and trying to respond.

Mr. McClellan: I have bad news for you.

Hon. Mr. Norton: The paper has two major objectives. The first is to clarify the principles that guide the ministry in its search for an appropriate approach to child advocacy. The second is to outline a number of changes currently being introduced.

These changes are concerned with mechanisms which will ensure that a child who is

within the spectrum of children's services is effectively and clearly heard. One of the changes, for instance, is the child advocacy information system, or the tracking system, as it is more commonly called.

The system has been designed and is in the process of being implemented. It keeps track of where each child is and has been, making it possible to discover hard-to-serve children who can then receive special attention.

In addition to the home support initiatives that I mentioned previously, the ministry subsidizes 92 charitable and 89 municipal homes for the aged. All accommodation and support services are based upon the elderly person's ability to pay, with financial subsidy provided when needed. Homes for the aged also provide vacation and day care for nonresidents.

A continued commitment to provide services to those in greatest need is further exemplified by the provision of funds to nonprofit organizations which, through a transitional halfway house program, help individuals suffering from alcohol abuse, ex-offenders and other socially disadvantaged persons, such as post-psychiatric patients, to become successfully integrated in community life.

This program accommodates 701 individuals and is carried out in 38 locations in Ontario. By working individually with residents through counselling and related assistance, the program concentrates on helping each person to plan and to achieve a self-reliant lifestyle such as, for example, stable living arrangements and employment, responsible money management and skills for meeting the basic responsibility of community life.

Our ministry provides services directly to physically and mentally handicapped individuals to assist them to become prepared for employment and to function independently in the community. The program has expanded over the years from serving 6,500 persons in 1967 to serving over 13,000 this year. We anticipate that of those who complete the program this year well over 1,500 will find employment in the competitive labour market.

The first work activity program was approved in 1971 and 13 projects were operational by 1979-80, for an estimated expenditure of almost \$1.3 million. This program recognizes the necessity of providing extra employment preparation services for people with personal, family and environmental barriers to employment.

This year the ministry has established a responsibility centre to examine current employment policies and programs with a view to developing a comprehensive and definitive employ-

ment policy program with respect to handicapped and disadvantaged people.

Since 1975 the ministry has been purchasing private school programs for children with learning disabilities. The purchase of basic education programs has created a temporary expansion to assist these children until local communities are able to provide for their special education needs through the boards of education.

In 1975 we were purchasing private school services for approximately 30 children at a cost of \$150,000. In the 1980-81 fiscal year we expect to provide services to approximately 450 children at a cost of over \$3 million. These private school programs have included day programs in Ontario and residential programs both in Ontario and in the United States.

Since the introduction of proposed amendments to the Education Act the ministry staff have been working closely with the Ministry of Education. The ultimate goal is to ensure a smooth transition of responsibility for provision of special education for children with learning disabilities from this ministry to local school boards.

When I made my introduction to the speech I noted that the ministry is committed to continuing the co-operative partnership among those delivering services. Many of the programs I have already spoken about are based upon co-operation and agreement. Therefore, the initiatives I note in this section only serve to highlight by specific example this collaboration and really represent a relatively small portion of programs that are based on partnership.

A clear example of close collaboration can be seen in the development of local children's services committees. These committees will ultimately be accountable to both local government and the province for ensuring the provision of a full range of children's services in their geographic area.

At this time there exist four local committees, each of which has entered the second phase of operations. This means that phase one, which entails information gathering, resource analysis and needs assessment, has been successfully completed and the committees have embarked on the task of program review and budget review.

In their final form the committees will be charged with advising local government on the allocation of funds among agencies.

A fifth children's services committee, composed of elected municipal officials exclusively, recently has been appointed in the Waterloo region and will soon be starting phase one of its development. A sixth committee will be named

in northern Ontario next spring. Within the next few years it is anticipated that there will be local committees throughout the province and their development will continue to be a collaborative venture between the province and the local government.

Mr. McClellan: How much do you want to bet?

Hon. Mr. Norton: If you get out and stir them up that might cease, but as long as you do not do that I think we can continue to have a co-operative relationship.

In 1980 the ministry began the phased introduction of the services approach to funding children's services. As a first step the approach was initiated for children's aid societies throughout the province. By the end of this fiscal year the transition from the old method of funding to the services approach will be completed for these agencies.

During this year the ministry has been working with the children's aid societies and with municipal associations to develop and refine further the services approach for societies. This co-operation has resulted in the development of a service plan format and later this fall will produce the child population based allocation system which will be used in the allocation of new funds to the societies.

Perhaps the most significant element in the services approach to funding is the linking of financial and program aspects of the service delivery in a manner which allows both the individual agencies and the ministry far greater latitude in policy implementation than has been possible in the past.

The approach provides agencies with the flexibility to determine their priorities and to budget accordingly and this will be done within the broader context of the ministry's priorities. Although the ministry may establish broad policy, the agencies will be free to attempt innovative programs which respond to the demands of their respective communities.

4:50 p.m.

The impact the services approach to funding will have on the child welfare system, both in terms of service delivery and cost, cannot be underestimated. The approach represents a shift away from reactive responses to demands for service to a more pro-active approach.

While societies and the ministry are engaged in policy development and priority setting, they are able to plan for service delivery on a long-term basis. This planning provides an opportunity to engage in programs which are aimed at social change. Financial planning also is an

essential aspect of that approach.

The ministry's experiences in implementing the services approach with children's aid societies this year has been extremely encouraging from two points of view. First, because of the spirit of co-operation that has been established between the municipalities and the societies and the ministry; and, secondly, the work by individual societies has resulted not only in cost savings, but in improved service delivery and in the development of a planning process.

During 1981-82 the ministry will continue to refine the approach for children's aid societies and will develop an implementation plan for extending the services approach to funding to other ministry delivery agencies.

The following are some other examples of co-operation among service areas in the province.

In July 1980 in the northern region, the ministries of Housing, Health, Northern Affairs, and Community and Social Services established a committee to look at the problem of providing services to elderly residents of remote or isolated communities in the north.

In the Kingston area, several community agencies and health resources have joined the Ministry of Community and Social Services in developing a project which has the intent of determining how to best care for, habilitate and rehabilitate seniors suffering from progressive cerebral deterioration. This project is in its first phase at this point, the phase of data collection and analysis.

Mr. McClellan: I'm about ready for that program now.

Hon. Mr. Norton: There are others of us who might join you on it.

I began these remarks by noting the extent to which we in government are balancing available resources against established needs and the responsibility this places upon us to use those resources wisely and to gain maximum benefit for every dollar and every effort spent. The parental support program is an example of how the ministry has attempted to gain maximum benefit for dollars expended.

After careful study by the ministry the parental support program was phased in and established in April 1974 with a complement of 21 staff. Its main objective then was to improve upon the collection of court-ordered support payments in respect of family benefits recipients who had these payments assigned to the province.

Under the system of assigned maintenance, recipients may assign their maintenance payments in consideration of receiving the full

family benefits allowance. Since, in the majority of cases, the assignment was taken on irregularly paid orders and, on orders where no payments at all were made, the recipients were by this means assured of a steady and regular monthly income permitting them better to attempt to plan their monthly financial obligations.

The very nature of the assignment process and the absence of any meaningful enforcement mechanism alerted the ministry to the fact that substantial arrears would be accruing under these orders, arrears to which the province had entitlement.

In fact the provincial auditor, in his 1972-73 report, estimated that arrears payable to the province stood in excess of \$7 million. Data obtained subsequent to the auditor's report suggested that the total accumulated arrears on all accounts assigned since 1966, when the assignment practice commenced, were likely to be in the neighborhood of between \$19 million and \$24 million.

Due primarily to the success of the program since 1974, staffing levels were increased and presently stand at 35 parental support workers with a further increase in complement contemplated for later this year. These staff are placed strategically throughout the province.

The mandate of the parental support worker is, in broad terms, as follows: to represent and act on behalf of the Ministry of Community and Social Services in provincial court and in the unified family court; to ensure that support payments to the family benefits recipient or to the Treasurer of Ontario by way of assignment are made on a regular basis; to conduct investigations to ascertain the whereabouts of spouses and parents of social assistance recipients for the purpose of resolving support issues; to act as a resource specialist on family law and related matters to ministry and municipal social services staff.

More specifically, current program activities include tracing missing payers; making home visitations to husbands or wives to assess individual circumstances; preparing written reports at the request of the judge related to maintenance and, occasionally, to access; delivering oral reports to the judge or to the administrator on request; assisting payers and payees in making applications for rehearings for variations in orders with respect to the amount; referring persons to appropriate resources for assistance with the resolution of family problems; and providing practical counselling and giving direction.

In respect of financial results, our findings indicate that approximately one third of all the

arrears addressed over any given period of time are not recoverable because, for example, the payer cannot be located, or because of unfavourable changes in the payer's circumstances and so on.

On the positive side, however, the current staffing resources have been able to increase our assigned maintenance order recoveries from \$2.8 million in April 1974, to \$5.4 million, almost \$5.5 million, as of March 31, 1980.

Mr. Blundy: What were those figures again?

Hon. Mr. Norton: April 1974 was \$2,807,000 to be precise, and in March 1980, \$5,472,335.

Mr. McClellan: That represents two thirds of arrears?

Hon. Mr. Norton: At the moment it's running at, I think, two thirds.

Not the arrears, I'm sorry. These are current payments. These are not payments on the arrears.

Mr. Blundy: How much are the accumulated arrears now? How much have they been decreased?

Hon. Mr. Norton: Was it this spring or was it last fall, when the figure—I haven't got the figures with me at the moment. Wasn't it something in the neighbourhood of \$35 million, or something like that? I can get a more up-to-date figure for you if you wish, but I think that was the spring when those figures were most recently available to us.

We've also been able to increase the non-assigned maintenance orders receipts to the family benefits recipients as well, and I think this is particularly significant, from \$1,280,000 received by some 7,688 cases or families in 1973-74, to \$8,058,600 received by 8,484 families in 1979-80. That probably is certainly a more dramatic figure in terms of what has been accomplished through the program.

I point out that many of these recovery actions were undertaken in co-operation with the family courts. Altogether, parental support workers had 5,040 interventions during the fiscal year 1979-80, in respect of 3,840 family benefits cases. Of that number, 2,220 were on arrears cases, first dealt with during the 1979-80 fiscal year. On a benefit to cost basis, therefore, the program shows a ratio of eight to one.

As can be seen from the foregoing, the ministry has been involved to a considerable extent in the pursuit of support and maintenance on behalf of social assistance recipients. We continue, however, to subscribe to the belief that the principal responsibility for the pursuit of support and maintenance payments rests with the individual and that our role, as much as possible, must be one of supporting the

client in this endeavour.

The effective and efficient allocation of resources is dependent to a large extent on the availability of relevant and timely information. For this reason, the children's services division of the ministry has established an information request centre. The purpose of this project is to provide a central resource centre with the capacity of providing information relevant to the planning and monitoring of children's services across the province.

The request centre also acts as a consulting group to planners by helping them establish the types of data they need, by providing data from resources available, providing data in a useful format, and aiding in interpretation as required.

5 p.m.

The ministry and a number of municipalities have established the Municipal Assistance Information Network, known euphemistically as MAIN. This system is now a little over two years old, and it already has 30 operational terminals installed in 13 municipal social services departments covering approximately 65 per cent of the provincewide general welfare assistance case load. By the end of this year, it is expected that 75 per cent of the case load will be covered.

Mr. McClellan: What is that called?

Hon. Mr. Norton: MAIN. M-A-I-N; the Municipal Assistance Information Network.

At the same time as the MAIN system—now here comes another one, get ready for this one—at the same time as the MAIN system has been developing, the provincial computer system, Ontap, which provides the data system for family benefits assistance, has been undergoing major improvements to make it not only more useful and meaningful for provincial staff, but to provide for eventual linkages with the MAIN system. It is anticipated that the new Family Benefits Act central index will be compatible with the current MAIN index, thereby easing the eventual bridging of the two systems.

Mr. McClellan: You bloody well hope.

Hon. Mr. Norton: Yes, we hope. That is the intent ultimately. So the reason for that, the integration of both Ontap and MAIN, that integration being under way, is, regardless of how the two programs are eventually rationalized, it will go a long way towards achieving economies and efficiencies in the delivery process of both the FBA and GWA case loads.

The new system is being designed in such a way as to provide flexibility of operation and capability of upgrading at minimal cost to support new needs as they are identified. However, given the complexity of the task, the

development of such a system is expected to take another two years before it is fully completed.

Since the last estimates speech, the first phase of decentralization of the family benefits delivery system has been implemented in 11 of our 121 area offices. Field staff in these offices have been trained and have assumed responsibility for all case load management activities relating to changes in client circumstances.

An hon. member: Are you reading the information I am?

Interjection.

Mr. R. F. Johnston: It's 11 of 12.

Hon. Mr. Norton: I am sorry, 11 of 12. I am sorry, it is not—

An hon. member: So you have done much better than you thought.

Hon. Mr. Norton: Thank you. Eleven of 12 offices.

In conjunction with the phase one decentralization, the provincial computer system—that is Ontap, which I referred to earlier—has been introduced at the local level. Twenty terminals are operational, providing field staff with the ability to complete any change in client circumstances on an immediate basis. By the end of this year, the system will have 32 terminal locations in our offices across the province.

During the past few months, the decentralization of all the files involving recipients of vocational rehabilitation services has been effected in the area offices. In the next phase of decentralization of family benefits to our local offices we will be situating them as close as possible to the client. This will result in definite improvements, we believe, in the level of customer service and the speed of response to the needs of the clients of the ministry.

I would like to emphasize that this entire project is being completed within existing resource levels and with every consideration for the relocation needs of all staff located at the income maintenance branch, which is being reduced in its staffing strength from the original 325 to 71 at the completion of decentralization.

A further initiative geared to the principle of maximizing the use of available resources is the ministry's process of operational reviews of children's aid societies. These reviews thoroughly examine all questions of financial management, administration, criteria for outside placement of children, where children come from, and the relationship of the society to the court, school and other systems. Each review results in the production of a work plan in response to the findings and recommendations.

Twelve operational reviews have been completed with final reports in and work plans under way. All children's aid societies will have been reviewed by 1984.

Mr. McClellan: Are these going to be shared with anybody?

Hon. Mr. Norton: The report? Under the agreements we enter into with the children's aid societies, the report is done for them. We work at it on a partnership basis but the report becomes the property of the society. In a number of cases, the reports have been released, as I understand it, in their entirety.

I can think of only one case where recently, I think, they released a summary of the report which I think has proved to be more problematic for them than if they had released the whole report, because what it does is raise issues without giving the background and it also raises suspicions that there is some reason why they are not releasing the whole report.

However, that at this point is a matter for the individual societies, although I think, after the experience that one society has had in releasing only a summary, we will be trying, in our discussions with the societies from here on in, to encourage them to make it part of the agreement with us that the whole report would be released.

Mr. McClellan: We will come back to that. I do not understand.

Hon. Mr. Norton: You do not understand which?

Mr. McClellan: I do not understand why you are doing it that way, but let us discuss it after a while.

Hon. Mr. Norton: We can discuss it later, but I can tell you very simply, one of the principal reasons we are doing it that way is because it really is very much a partnership approach and we do need their co-operation in order to be able to assist them, because they are very candid reports that have to bring to their attention, and our attention, any and all difficulties that may exist, as well as stressing some of the strong points.

Twelve operational reviews have been completed now and we hope they will all be completed by 1984.

The new regulations for the operation of children's residences will become effective on November 15 and represent a further initiative to ensure that quality is obtained in the services we purchase. These regulations will apply to all facilities, with the exception of foster homes, that provide full-time care for children outside their own homes. They cover five major areas:

Organization and management; programming; human resources; community integration; and physical plant.

Licensing will be introduced for all classes of children's residences over an 18-month period beginning November 15 and a residence must meet the requirements of the regulations in order to be licensed to provide care for children. We expect it will require two to three years to license all the children's residences in the province.

The new regulations are based on the standards for residential care presented in the policy statement published on September 22. Standards were originally proposed in a consultation paper distributed in September 1978. That paper was widely read and commented upon by operators, professionals and voluntary associations' service agencies. As a result of the widespread response, extensive revisions were made to the original proposals. The final standards will set a minimum acceptable level of basic care for children in Ontario living apart from their families.

In order to assist operators of children's residences to adjust their program where necessary to meet the new requirements, we are introducing the regulations in two stages and are providing special training sessions on the standards and regulations for all the operators. I am particularly pleased that the residential standards enhance the community integration by ensuring that municipalities are involved in the establishment of group homes.

Last year, during the estimates speech, I spoke about the extensive work the ministry had been undertaking in the area of prevention and the development of a new prevention program. With regard to this, my ministry has allocated \$700,000 of a total of \$1 million for this year to be given to community-based organizations to carry out primary prevention programs.

These programs are designed to test theories in the area of prevention and to provide the ministry with information to be used in helping to determine future policy directions. A number of organizations have now received awards and I would like to highlight just a few.

5:10 p.m.

Sudbury Algoma Sanitorium, a mental health facility in Sudbury, has received \$117,000 for a program aimed at families and teens in three high-risk communities. This project, serving significant francophone and native populations, will provide recreational activities and counselling for teens while at the same time providing help in both languages to assist parents to develop their parenting skills.

The Parent Pre-school Resource Centre, in the community services boards of Pinecrest, Queensway and Lower Town in Ottawa, has received \$113,000 to develop parent-child drop-in programs, self-help parents' groups and links with crisis support services in two high-risk communities. These are communities considered to have a high risk of developing social problems because of such factors as a high proportion of single parents, families dependent on welfare, population density and limited recreational resources.

The Jamaican Canadian Association in Toronto has received \$60,000 for home visits, parent meetings, booster programs for children and shelter for children in crisis. This project is aimed at serving the community in the Jane-Finch area of North York.

Mr. McClellan: Who?

Hon. Mr. Norton: The Jamaican Canadian Association, which had a proposal that was accepted by the review board.

The Stay Healthy Early program in Peterborough has received \$60,000 to provide help for pregnant women such as single, teenage and first-time mothers considered to have a high risk of developing parenting problems. This assistance will continue through pregnancy and into the child's infancy and pre-school years.

In addition, the remaining \$300,000 has been divided equally among the four regions in Ontario to be used as incentive money to encourage children's services agencies in their areas to initiate or further develop prevention programs.

Research grants totalling \$350,000 have been allocated this year by the ministry. The money comes from the Provincial lottery and will be granted on an annual basis until the total allocation of \$4 million is fully committed.

The grant program is administered for us by the Ontario Mental Health Foundation and research projects in the areas of day care, child welfare, juvenile collections and detentions, mental health and developmental handicaps are eligible for funding. A number of research awards have been made and among them are the following:

The Ongwanada Hospital in Kingston has been awarded \$30,000 to carry out a one-year evaluation of the effectiveness of biofeedback procedures in training retarded children with multiple physical handicaps.

The Canadian Council on Social Development has been awarded \$26,545 for a one-year project. The study will analyse the circumstances of single, adolescent mothers in Ontario

to determine the types of support and/or the services that are or ought to be available.

Carleton University has been awarded \$18,127 for an eight-month study of the capacity of supervised family day care adequately to meet the needs of children requiring extra attention due to physical, mental, emotional or social difficulties.

However, in closing let me take this opportunity to clarify for the members of the committee any potential confusion that may have arisen as a result of the inclusion of the supplementary estimates in the 1979-80 figures.

It came to my attention a couple of days ago as we were doing some briefing in preparation for this. As I was leafing through it, there seemed to be some shockingly low increases in some programs. I knew they were not correct and it was at that point we discovered that in the printed estimates there had been a problem.

This is why I want to explain briefly. I think we have a short handout that will supplement the material you have in your briefing book. I apologize that you are only getting it now but it was only a day or two ago that I discovered it myself.

In the case of general welfare assistance the final expenditures—speaking of last year—came in approximately \$7 million higher than the original estimates. This was the direct result of increasing case costs related to the deterioration of the employment situation in the latter part of the year and associated increases in special assistance and supplementary aid.

At the time the 1980-81 estimates were prepared that trend had not been identified because of the time of the year in which they were done, so it is not reflected in the 1980-81 estimates. In October it appears likely that a similar adjustment will be required this year as well.

Similarly, in the case of the Ontario drug benefit plan—and we will be giving you each a handout on this—the 1979-80 base includes the supplementary estimates, while the 1980-81 estimates were not fully adjusted to reflect the increased demand and considerably higher inflation rates that were experienced in 1979-80 and are continuing into this year. Given the nature of the open-ended program expenditures, the expenditures were very difficult to predict.

Finally, I would like to comment regarding the grants to the children's aid societies. The ministry has normally provided funds related to work load and inflation to the societies after April 1, which is the beginning of the government's fiscal year, even though the societies operate on a calendar year.

However, in the past year the ministry recog-

nized the problems being experienced by the agencies due to high bank interest rates, higher than forecast case load increases, and some operating deficits. Therefore, for the first time it began to flow these additional funds from the beginning of the calendar year, financed through supplementary estimates.

Thus, on a year-to-year basis, the societies received in 1979-80 funding related to their 1980 budget and which would normally have been included in their 1980 budget. The total increase to the societies for their 1980 budget is not reflected in the comparison of the 1979-80 expenditures in the estimates for 1980-81.

In reviewing the programs and initiatives of the ministry, I hope that I have been able to give you an idea of the basic principles by which we are guided and the extent to which we are committed to providing services to people in need in this province.

As we proceed through the estimates, I will be pleased to elaborate on any program or approach which the members may wish to take up. I am sure there are a number they have in mind already.

Mr. McClellan: On the last point, do we have the handout?

Mr. Chairman: We have the handout. Distribute them.

Mr. McClellan: I would not want to make any erroneous accusations.

Mr. Chairman: Mr. Blundy, perhaps this is very short notice but is there any chance you might complete in 45 minutes?

Mr. Blundy: No, I do not think so. I am not going to be here tomorrow. I would prefer to start next Monday.

Mr. Chairman: Next Tuesday. Monday is Thanksgiving.

Mr. Blundy: Oh, yes, next Tuesday.

Mr. Chairman: I suppose the appropriate thing at this point, not having anything else to do for the day, is to adjourn.

Mr. Blundy: I agree.

Mr. Kennedy: We do not want to start off too heavily.

Mr. Chairman: No, we have to work into this.

Mr. Kennedy: That is right.

Mr. R. F. Johnston: Keep it light.

Mr. McClellan: Just before we go, during the course of last year's estimates I had asked, as normal, a whole series of questions during the course of the estimates. On reviewing everything—and it is as much my fault as the ministry's—there are a number of questions that did not get answered.

Hon. Mr. Norton: From last year?

Mr. McClellan: From last year's estimates. I wonder if I could submit a list of these questions to the ministry.

Mr. Chairman: Do you want to put them on the record, Mr. McClellan?

Mr. McClellan: Why don't I submit them to you and you can give them to Hansard to be taken as read?

Mr. Chairman: Can I see them?

Mr. McClellan: Yes, and there is a copy for the ministry.

Mr. Carman: Can I answer the question from the member for Scarborough West about the replacement for Queen Street? Queen Street had 12 beds and the proposal is to develop, with the Youthdale people, a crisis unit which would have 10 beds. The discussions are already under way.

There would be, in addition, a six-bed stabilization unit that would be aimed particularly at children who are really resident in the community but who would need short-term care.

On top of those two actual residential settings a crisis response team would be developed whose experience and training would fit them to deal with children who are undergoing a particularly serious crisis situation. They would be available for both of those residential settings as a special resource.

Mr. Chairman: The committee is adjourned until tomorrow at two o'clock.

The committee adjourned at 5:21 p.m.

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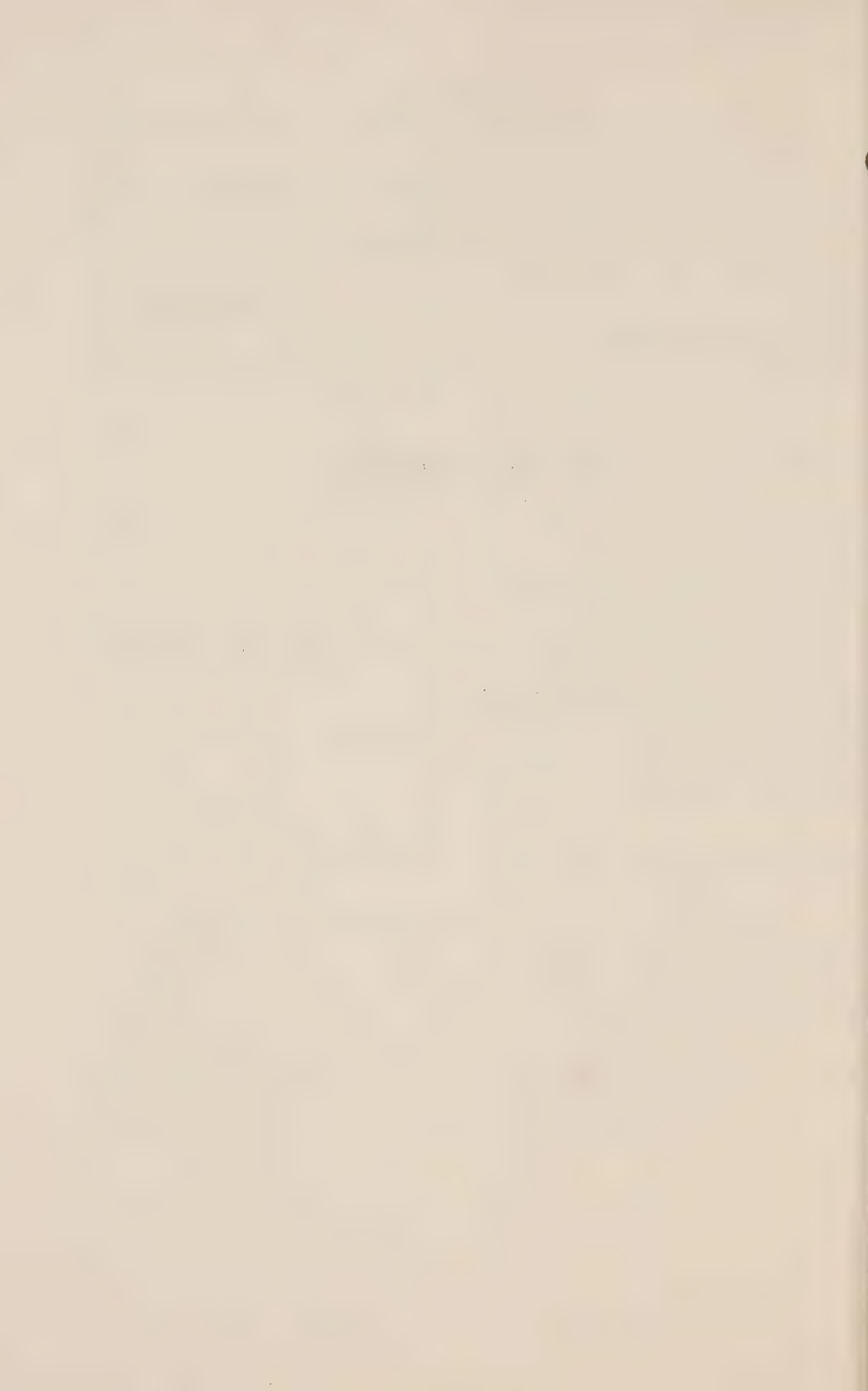
Tuesday, October 7, 1980

Opening statement: Mr. Norton. S-789

Adjournment. S-806

SPEAKERS IN THIS ISSUE

- Blundy, P. (Sarnia L)
- Gaunt, M.; Chairman (Huron-Bruce L)
- Johnston, R. F. (Scarborough West NDP)
- Kennedy, R. D. (Mississauga South PC)
- McClellan, R. (Bellwoods NDP)
- Norton, Hon. K.; Minister of Community and Social Services (Kingston and the Islands PC)
- Sweeney, J. (Kitchener-Wilmot L)
- From the Ministry of Community and Social Services:
 - Carman, R. D., Deputy Minister







No. S-28

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Community and Social Services

Fourth Session, 31st Parliament

Wednesday, October 8, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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ONTARIO LEGISLATURE

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

WEDNESDAY, OCTOBER 8, 1980

The committee met at 2:19 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES (continued)

Mr. Chairman: I will call the committee to order. When we adjourned the minister had completed his statement. Today we will proceed with Mr. McClellan's opening statement to the committee.

Mr. McClellan: Thank you, Mr. Chairman. This is the fifth year, Mr. Minister, that I have been doing the estimates leadoff for my party and I suspect it will be my last before this minister. I expect you will be moving on to something else.

Hon. Mr. Norton: I thought you were going to say we would be switching positions.

Mr. McClellan: I would not be so presumptuous. But I expect that there will be a cabinet change. You have been in the portfolio now for three years and I have been doing this assignment for five years. I think probably both our respective caucuses will make that change.

I usually start off by saying how depressed I am in looking over the events of the past year. But this year, with Ward Cornell now firmly ensconced as director of social policy for the government, the minister probably going to be leaving, with the deep freeze even deeper and with rumours that Judge Thomson is probably going to leave and that the adult and children's services division will be reamalgamated, why should I express gloom?

I will just touch on four issues during the course of the leadoff. I will deal with them in more detail when we get to the votes.

To start, I want to talk a little bit about children's services and what we, and I in particular, have learned over the course of the past month with respect to the operational review process that is under way.

Ten operational reviews have been completed. I think it is absolutely imperative that the minister make the operational reviews public. I understand the arrangement that you had made with children's aid societies on a contractual

basis when the operational reviews were commissioned, but I think circumstances demand that you make those reports public for two reasons.

Firstly, there is clear evidence that the operational reviews have indicated in detail that a number of children's aid societies are incapable of fulfilling their mandate under the Child Welfare Act. That information must be made public. The public has a right to know. The public in an area that is served by a children's aid society which cannot perform its duties has a right to know whether that is the situation or not.

Secondly, the operational reviews have been critical of the ministry itself. I visited Belleville two weeks ago; you can pick up a copy of the Hastings operational review on the main street. They are a dime a dozen in that particular community and there is no particular secrecy attached to them. That report is not simply critical of the society, it is also very critical of your own ministry.

To continue to refuse to release the reviews amounts to a coverup of material critical of yourself and your own performance. I am asking you very seriously to reconsider that decision. I advise you, Mr. Chairman, that I will be putting a motion to the committee next week with respect to the matter of the disclosure of the operational reviews that have been completed.

These operational reviews, as I have said, have indicated that a number of societies cannot fulfil their mandate under the Child Welfare Act. I have absolutely no doubt that the Hastings children's aid society is incapable of functioning. Regardless of the labour-management dispute that in many respects is secondary to the problem, we have had evidence of a state of anarchy and chaos in that children's aid society since 1975.

There was a request for a judicial review in 1976; there was a request from the region for a ministerial investigation in 1977; and in the intervening period we have had all of the ostensible reforms in child welfare legislation and in the structure of the ministry. But when

the operational review was completed in October 1979 it indicated that the situation was even worse than it had been at the beginning of the process in 1975. Not only that—when the Ontario Association of Children's Aid Societies went into Hastings to do a so-called progress report, it was discovered that the situation had further deteriorated.

I do not know whether you have ever visited that society. It is really a very unsettling experience to go in and talk to members of the board and the staff at that very unhappy agency.

There is no management structure in that agency and there has not been for a number of years. Workers do not know who their superiors are; there are no case supervision structures in place; there is no adequate case recording; and there is no financial control. The board is divided; individual staff members take cases to members of the board instead of to management staff because of the degree of disarray.

I do not know how you can just pretend that is not happening. I do not know how you can come to any conclusion other than that that society is not fulfilling its functions under the act. It has demonstrated that, for whatever reasons and circumstances, it cannot. The only thing that can be done at this point is for the ministry to take over the direct running of that society.

I have shied away from that recommendation as long as I have been critic and it is a conclusion that I have now come to very reluctantly. I do not think you have any other choice when the society has been in that state of disarray for a full year, from October 1979 to October 1980, with no measurable progress—with all of the resources of the ministry presumably available to help them to remedy the situation.

The children in that community are at risk. The society simply is not functioning and you have a responsibility in that situation to take over that children's aid society, or any children's aid society, where an operational review demonstrates that it is incapable of performing its mandate under the Child Welfare Act.

We are at the point where the ministry has to make the tough decision. In those instances where it is demonstrable, through the process of operational review, that the Child Welfare Act is not being fulfilled, the ministry has to take over the direct running of the society.

I gather from the article in today's *Globe and Mail* that other societies have been reviewed and are in the same category as the children's aid society in Hastings. I think it is incumbent on you to release those operational reviews so that

we can make an assessment on the basis of the material that is available to you. Also, the people in the community should be able to assess for themselves whether or not their tax dollars are being spent according to the dictates of the legislation.

There is clear evidence that Hastings is not unique and that there are other societies in the same condition. I have no way of knowing until the operational reviews are provided, but I suspect that there will be a number of societies that are in worse shape than the Hastings society and will be found to be in a state of failure—probably smaller societies in rural or semirural parts of the province, which for a variety of reasons have not been able to pay the kinds of salaries to attract the kind of staff and supports that are needed to make a children's aid society work.

This is a sad thing for me to have to be saying today, but I think that the time has come to end all the dithering, all the paper reforms and all the nice rhetoric, and face up to a very tough reality and deal with it. We can pursue that when we get to the child welfare section of the vote—but before we do, I hope that we will have the 10 completed operational reviews so that we can have that debate on the basis of the factual knowledge that is available to you.

Since it is the International Year of the Handicapped, my major theme this afternoon will be about the opportunities the government has to initiate a major program on behalf of handicapped people during this coming year. It will take a long time to sort out all the pieces of our comprehensive program because there are a number of initiatives that need to be taken.

If there is one theme I have tried to make over the course of the past five years it is this: In order to accomplish significant reforms within the welfare department, no matter what we are looking at, the first thing we have to do is to take it out of the welfare department.

When I talk about day care I talk about taking day care out of the welfare complex. When I talk about income security I try to talk about moving it as much as possible to the social insurance basis so that there will be ever lessening dependence on the residual social assistance programs. When I talk about the physically handicapped, I am absolutely convinced that their salvation ultimately rests in the development of a comprehensive provincial manpower program which is removed from the welfare straitjacket. And it is a straitjacket.

Let me try to make the point. If I have an accident at work, I am eligible for workmen's compensation based on 75 per cent of my

wages. And so I'm entitled to that kind of income support until I recover.

2:30 p.m.

If I'm permanently injured, I'm eligible for a permanent pension based on the degree of disability. And lately, the compensation board has made some progress, so I'm also eligible for a kind of vocational rehabilitation program that your clients could only dream about.

If I'm injured at work and go into the Workmen's Compensation Board's rehabilitation program, I'm eligible for my pension, plus a training allowance equal to full compensation. I'm entitled to go to a number of rehabilitation agencies and to be supported at the rate of 75 per cent of my income up to \$18,000 a year.

I'm entitled to a job placement service which aggressively attempts to recruit job spots for disabled workers. I'm entitled to the work incentive program which places injured workers with employers and pays the employer to accept the worker, and guarantees that during the transitional period the worker will not suffer any wage loss below the level of full compensation benefits up to 75 per cent of \$18,000 a year. If the worker is successfully placed in the job, he's entitled to a wage loss supplement to make up the difference between what he's making and what he might get on full compensation.

The problem with the compensation program is that it is limited and is not able to serve each and every injured worker. But the structure of the program is infinitely better than anything you're able to come up with, infinitely better. The difference is that workmen's compensation is an insurance program and your programs are welfare programs.

When we look at what happens to handicapped workers in your sheltered workshops, it's not a very impressive picture. The minister knows how limited our research capabilities are in the opposition. From time to time we get a little help from our friends and we did a—it's not a scientific survey but a survey of 18 of your ministry's supported sheltered workshops, just to try to get a sense of the kinds of things that were happening.

We did a breakdown between the workshops for those who are mentally retarded and the workshops for those who have physical handicaps. Again, it's not scientific and it's not particularly comprehensive. But it is kind of shocking.

The pay rates, lumping both groups together, range from six cents an hour to \$1 an hour. Six cents an hour to \$1 an hour. I suppose if the minister was to write that up in the blue book

he'd talk about a program where you could get a step-by-step increase of 1,500 per cent. I don't know how you can conceivably justify that kind of thing, particularly when you have another category of handicapped people who are eligible for the kind of benefits that are available under the Workmen's Compensation Act.

The only difference is that somebody has a combination of good luck and bad luck to be injured either on the job or off the job. And if you're injured on the job, you're entitled to the insurance-based service and if you're injured off the job, or if you have a congenital handicap, you're out of luck.

The Amity Rehabilitation Centre in Hamilton has 120 clients. Forty are sponsored by vocational rehab services. They are only able to place about 10 per cent of their clients a year. And that's a constant theme. The average placement at the sheltered workshops is something in the order of six per cent—these are the workshops that we surveyed—the average of six per cent of their work force.

It's clearly not a transitional program. For many people it's a permanent work opportunity, and they are working there full time for many years, and they are getting between six cents an hour and \$1 an hour. At this particular centre, the one in Hamilton, they're paid on a range from \$10 a week to \$20 a week.

The London Goodwill Industries—OFCSS Workshop and Rehabilitation Centre—was one of the few we had encountered that attempted to pay the minimum wage. But for the four or five clients who are receiving government assistance—that is your clients—the rate of pay ranges from 75 cents an hour to \$1.25 an hour. That's for a 37-hour week.

In the Windsor area, Goodwill Industries of Windsor Incorporated has 50 clients. Their placement rate is about one per cent because of the unemployment situation in Windsor, but also because of the fact that for many handicapped workers, sheltered employment is, if you will, a career employment, and I mean that in a good sense. The pay at Goodwill in Windsor is \$3.75 a day. Last year it was \$3 a day. The increase was due to the benevolence of the ministry. Thank you.

In the Barrie area, at Participation House, with 30 multiple-handicapped adults and virtually no possibility of placement because of the severity of the handicaps, the pay is 40 cents an hour.

The Toronto area Salvation Army, 30 cents an hour. The Toronto area Ontario Community Centre for the Deaf, 33 cents an hour for a 30-hour week.

I think that's a disgrace. I don't know how else to describe it. If that's the best we can devise in this province for handicapped people, I think it's shocking.

I think the only solution, as I've said, is to get services to handicapped people out of this ministry and to place them with the provincial Ministry of Labour and Manpower, and to provide services and programs for each and every handicapped person on the basis of equality. It shouldn't matter whether you were born with a handicap, or whether you have a handicap because of illness, or whether you have a handicap because you injured yourself at home, or whether you are in that unique and fortunate category that developed a handicap because you were injured at work. It makes no sense.

The only way you can rationalize this system is to get it out of the welfare system, get it out of this kind of punitive environment. It seems to be the kind of environment that injects a breath of meanness into everything it touches, regardless of the intentions of those who are administering it. Establish, under the auspices of a provincial Ministry of Labour and Manpower, a comprehensive program for the handicapped.

That program—let me backtrack, we are not just talking about the Ministry of Community and Social Services as having a piece of the action. The Ministry of Labour has a piece of the action; the Workmen's Compensation Board has a piece of the action; the Ministry of Health, the Ministry of Education, the Ministry of Colleges and Universities all have a little bit of responsibility for services of one kind or another to handicapped people, and yet nobody is co-ordinating it.

You may have faith in Ward Cornell's capacity to pull it together. I don't think Alexander the Great could pull it together under the auspices of the secretariat. I don't think anybody can achieve that kind of organizational miracle. The way to do it is to deal with it the way we dealt with children's services.

2:40 p.m.

We took children's services from Health and from Education and from the Attorney General and we put them all into one ministry. That at least gave us the capacity to understand what was happening, first of all, and the capacity to solve some of the problems—not all of the problems, but some of the problems.

Until we achieve that kind of reorganization of services, I do not hold out any hope that we can do the kinds of things that handicapped

people in this province deserve and to which they are entitled.

One really significant thing that could be done during International Year of the Handicapped is for the government to sit down and to begin the work of planning that kind of organizational transfer. Manpower programs for the handicapped would not be duplicating what the federal manpower department attempts to do. I have said this before; Canada Manpower has absolutely no capacity to deal with people who have special needs, who are traditionally excluded from the work force.

There is a role for the provincial government in precisely that area. There is a need for a provincial manpower program that addresses the needs of people who are traditionally locked out of competitive employment. That would be its main function and its main mandate. It would be empowered to establish job creation programs, job training, retraining, upgrading programs, job placement programs, job counselling programs, and to provide them with the kind of adequate financial backup and support to the handicapped themselves that is essential for the success of these kinds of programs.

I would like also to suggest that either this minister or the Minister of Labour (Mr. Elgie), or somebody, should be looking at the British experience with sheltered workshops. I know there is interest within the Ministry of Labour and within the Workmen's Compensation Board.

Instead of this kind of totally inadequate sheltered workshop network we have in Ontario, the British have set up under the Remploy program a network of crown corporations that are full-fledged manufacturing enterprises which are competitive and productive and which provide employment for many thousands of handicapped people in Great Britain at wages which are decent and adequate—none of this six cents an hour or 30 cents an hour kind of nonsense.

So we have a successful working model that other branches of the government are already looking at. I know the Workmen's Compensation Board is anxious, at least at the staff level, to move in that direction.

I would be interested to know, when we get to the detailed discussion, whether this ministry has been looking at the Remploy model, whether this ministry has been engaged in discussions with officials in the Ministry of Labour or at the Workmen's Compensation Board with a view to rationalizing the kind of hotchpotch of inadequacy that exists now.

I would like to suggest that, as an essential

component of a comprehensive manpower program for the physically handicapped, the government needs to initiate affirmative action programs and contract compliance programs. I go so far as to recommend to the government that they institute a quota system for the handicapped.

I know there is concern about the issue of quota, despite the fact that virtually every western industrial country has a quota system and those quota systems were brought in after the war to accommodate war veterans, by and large. I have heard all of the arguments against a quota system, and some of the arguments come from the handicapped groups themselves. I am familiar with the arguments. But I am absolutely convinced that without clear quota legislation, backed up by a whole range of comprehensive support programs, we are not going to achieve the acquisition of a fair share of job slots in the private sector for handicapped people.

Quota legislation has this significance. It indicates to the entire community just how serious the government is with respect to making room for the handicapped within the private sector.

Quota legislation is not some kind of magic wand that will suddenly open up jobs. The jobs will be opened up to the extent that the government is prepared to go out and sell actively the concept of employment of handicapped people, to recruit jobs and to slot handicapped people into the appropriate job individually by counselling. That is the only way it will work.

The quota system gives a way of announcing to the entire society that from now on things are going to be different; that from now on there is going to be room for handicapped people in each and every major industrial enterprise in this province; that these are the kinds of things the government is prepared to do by way of incentive programs, counselling programs, training programs and placement programs.

There is a number of other things that need to be done, not necessarily by this ministry. I will be raising them either here or in other estimates over the coming year.

If I am not mistaken, you had a share in the pilot project of the transit system for the physically handicapped, which has had something go very wrong with it. For whatever reasons, here in Metro the Toronto Transit Commission has contracted out Wheel-Trans-Service to a ripoff artist who has already been convicted of one violation of the Labour Relations Act; and it is a matter of documented fact that he is running unsafe vehicles. Based on

the accident record, the riders of the Wheel-Trans system are, in my view, at risk.

That has got to be dealt with—to say nothing of the fact that the scheduling of transit services for the physically handicapped remains as inflexible as ever.

You will remember, Keith, the meeting we had in the government caucus office last year with a number of handicapped citizens and the anguish they were suffering. They were having a very serious meeting with the Minister of Community and Social Services and the bloody bus was coming to pick them up at precisely four o'clock. If they were not through their meeting and ready to go at that time they would have been stranded here.

That is how inflexible the system is. You have seen it at first hand. It is not available for social or recreational activities, only to drive you to or from school, or to or from work on a fixed schedule. You can pre-book, but this requires a week's notice in advance and there is total inflexibility around the hours of accommodation.

Another item is the building code. I do not know where that is—probably in some kind of shuffle between the Minister of Community and Social Services and the Minister of Consumer and Commercial Relations (Mr. Drea) around part V of the building code. I have some correspondence between those two ministries which indicate that the social objectives of the secretariat are not being respected by the Minister of Consumer and Commercial Relations. I will be pursuing that.

The matter of income security for the physically handicapped in institutional accommodation, who are depending on your comfort allowance for their discretionary income, has to be dealt with, particularly since you have just taken away their tax credit. We will come back to that when we get to the vote.

Housing for the handicapped has been a source of despair almost. We had promises from the government in 1974 that they would establish, on a program basis, housing for the physically handicapped with attendant care services built in. That was a clear commitment made by the government of Ontario before I was elected to office.

There was absolutely no doubt about the seriousness of that commitment. But, for whatever reason, those initial promises which had been made to a number of people within the handicapped community, and to their friends and supporters, was reneged upon. It was followed up by the pilot project scheme we have had so much trouble with.

2:50 p.m.

When the transition was made, a promise was made by Jim Taylor on behalf of this government that each and every viable project that was prepared and submitted by a handicapped group would be funded. That commitment was made in many places across this province. There was no talk of cost sharing, of a municipal component to the cost. The original promise that was made to a number of handicapped constituencies was to the effect, "You go ahead and design a project and if it is viable"—that was the criterion—"we will support it." That simply was not done.

Now we have a situation where the minister is attempting to impose municipal cost-sharing on the funding of handicapped accommodation with attendant care. They have already gone through that battle twice and the third time is coming up.

The course of wisdom would be to go back to the original promises that were made in 1974 and early 1975 and bring in a program, provincially funded through legislation, which guarantees that if a community does this and this, or if a group does this and this, there will be provincial funding forthcoming. Otherwise it will continue to be just dribs and drabs.

I think the minister announced 50 new units for 1980-81. There is no guarantee that if any group sits down and does all of the very tough planning that is involved in putting one of these projects together they will get funded, so people are automatically discouraged from initiating the process in the first place. They would see it is a catch-22 situation.

Until you put it on a program basis we are simply not going to be able to develop sufficient housing accommodation that can rescue handicapped people from unnecessary institutional or chronic home care. We are not going to be able to permit them to return to the community, where they can take advantage of the employment opportunities.

We have to do something about income security reform with respect to the handicapped; it has disappeared from sight. I noticed, to my great amusement, that when the Canadian Council on Social Development published the report of the federal-provincial income security task force, which I have been waving around here for the last couple of estimates, they eliminated all of its recommendations. That is probably just as well because they were basically in such a state of discombobulation that they did not really have any recommendations, except that a royal commission be appointed.

Despite all the myths and stereotypes about welfare recipients, when you actually look at the material that is in your briefing book about the people who are receiving welfare, you will see they are, by and large, the victims of accident or illness. I do not have the capacity to do a detailed analysis of your case loads but just by looking at the raw figures I can see that 60 per cent of the general welfare assistance cases are people who I assume are unemployable, all victims either of accident or illness. Let me read the data.

The family units—that is, single people or heads of families—who are employable number 31,134. The number who are unemployable and getting welfare assistance is 40,733. So 60 per cent of the general welfare assistance case load is people who are unemployable. The assumption I am making—it may not be valid—is that the majority of those people are on unemployment insurance by virtue of accident or illness.

Looking at the family benefits case load we find that 33,640 out of 114,000 cases, some 29 per cent, almost 30 per cent, are there by virtue of accident and illness insurance. As I said, this may be a false assumption. However, if you translate those case load percentages into raw dollar terms, which may not be a legitimate procedure, 60 per cent of your general welfare assistance budget is \$99 million and 29 per cent of your family benefits budget is \$118 million.

If my assumptions are correct, you get a total of \$218 million in welfare payments paid to people who are on social assistance for no other reason than that they are the victims of disability resulting from accident, illness or a congenital defect. That is an awful lot of people and it is an awfully large chunk of your social assistance case load to be relegated to some kind of a residual program.

Our social assistance programs are, ostensibly, to pick up people who have no better means of financial support. Yet we have many tens of thousands of people who are there simply because of a permanent or a temporary handicap. It indicates clearly to me the need for a comprehensive accident or illness insurance program in this country and in this province. The way to begin the process of reforming our income security system lies in this direction, and part of the cost of moving in that direction has already been identified.

If there are initiatives that the government is hoping to undertake, to try to unwind the tangled flypaper that our income security programs represent—the 80 different programs across this country, overlapping, competing, cancelling each other out; and all keeping people in a sub-

poverty level of existence—the way to do it is to look seriously at the social insurance components of our income security program; to develop in this country, and if necessary in this province alone, a comprehensive universal accident and illness insurance program so that you do not end up with this absurd set of figures of tens of thousands of people on both municipal and provincial welfare because of illness or accident.

I know nobody else wants to speak, so I do not feel constrained to wind up. Let me talk about Chairman Keith's thoughts in connection with day care.

This is an article in the *Globe and Mail* as the result of the minister's invitation to reporters to visit his country retreat for some table talk.

Hon. Mr. Norton: I do not have a country retreat. I was not even in my own home at the time.

Mr. McClellan: You were sponging off your friends.

Hon. Mr. Norton: That is right.

Mr. McClellan: The article is entitled, "Professional Tidal Wave—'Family Is Drowning In Too Much Help,' Norton Says."

Hon. Mr. Norton: Those are words that I have never in my life uttered. They are the creation of a very—

Mr. McClellan: Deranged editor?

3 p.m.

Hon. Mr. Norton: A headline writer or whoever does that sort of thing for the *Globe and Mail*.

Mr. McClellan: Victor's editor is deranged.

Hon. Mr. Norton: Too bad he left so soon.

Mr. McClellan: The article, I assume, quotes you correctly:

"Mr. Norton zeroed in on the explosive day care issue. He said he is against moves towards professionalizing day care, particularly the move by child care advocates to make private arrangements illegal through provincial legislation on the grounds that such arrangements made by parents place children at risk."

Then he goes on to raise the bugaboo of professionals deciding where parents should send their children and then he goes on to say, "What makes these so-called professionals any better at providing day care than a kind, caring mother?"

I have tried so hard over the past three years to put a dent in your reputation without any success and I just wanted to thank you for doing it for me.

Hon. Mr. Norton: I am looking forward to the

opportunity to elaborate upon that and perhaps I can—

Mr. McClellan: You will have an opportunity. Really, the kind of nonsense that you are spouting here has provoked a justifiable reaction. You cannot be serious.

You said in your leadoff—not to misquote you; not being a deranged editor—"It is a matter of choice." You said in your estimate, and you are making the same assumption in your comment, that "parents have a range of choice."

That is what it is all about. You say that parents do have a range of choice and I say you are living in a fool's paradise. You are living in some kind of world that does not exist because if you had any idea of the kinds of pressures that families are under in this community or other communities across this province because of the day care issue, you would not dare make those kinds of fatuous comments, and they are.

I have gone through the agony of trying to find reasonable day care, stable day care, for my own family and I know what a nightmare it is, because the range of choices is not in place; it is simply not in place. I do not know how much more evidence you need. You have had study after study after study commissioned, often paid for by yourself, and yet you continue to ignore the significance of day care. It is really interesting.

The day care issue has changed since I was elected. Let me try to tell you, when I was elected the issue was not as much the quantity of day care as it was a fight to protect the quality of day care, but in the last four years, and particularly the last two and a half or three years, the economic situation has changed sufficiently to make day care a different kind of issue qualitatively, because there is virtually no family with children in Metropolitan Toronto that has the normal Canadian aspirations to own their own home and to have that for their children who can afford to do that on a single income. That is what has changed.

Day care is not a luxury. Day care is an absolute necessity if families are to have the kinds of things that we have always taken for granted in this province and that means owning your own home at a time when your children are young. If you want to have that aspiration fulfilled, both parents have to work.

Otherwise, you explain to me how you carry a \$70,000 mortgage or a \$60,000 mortgage on the average wage of \$14,000 or \$15,000. It simply cannot be accommodated; it just cannot be done; it is physically impossible. So both parents have to work and there is not enough day care out there. Who are you trying to kid?

I use Metro examples because Metro has been studied to death and other parts of the province have been studiously ignored, so we have to rely on Metro data. It is hideous. Six per cent of the children of pre-school age whose parents are working are accommodated in day care spaces in this city, and you have the audacity to say that parents have a range of choice. There is no choice. People do not have a range of choice. The issue is choice and you cited the study of single-parent mothers indicating a breakdown of something like 30-30-20. It does not quite break down.

Hon. Mr. Norton: That was yesterday.

Mr. McClellan: Yes, when you were talking about the day care needs. Perhaps for some low-income people who are eligible for subsidization and who are in that kind of a program so that when they expect that there will be some kinds of advocacy on their behalf you might get that kind of a mix. That is nothing like a mix of six per cent.

Do you understand what I am saying?

Hon. Mr. Norton: I do not mean to interrupt you, but I think those figures were figures related to specific individuals and specific information that we have hard data on as opposed to taking a six per cent figure without—

One of the problems that we encounter, I think, in these discussions—and I do not mean to protract it at this point exactly but we can discuss it later—is when one looks at the six per cent figure and then compares it with the kinds of generalized statements that are sometimes made by, for example, the social planning council.

Their figures do not take into consideration matters like family income and the other arrangements that families have made. They take a figure based upon the number of children of working parents and then extrapolate and assume that—and they make this statement—there are 100,000 children in Metro who are at risk.

I understand how they come to that conclusion, but I think that it is a very wide and sweeping generalization not based upon hard data. I admit the kind of hard data that would be necessary for them to come to a more accurate conclusion would be difficult for them to come up with.

Mr. McClellan: There might be better ways of saying the same thing; that within that group of 100,000 children there is a significant group who are at risk—I have no hesitation in saying that because I believe it is true—and that the range of choices is just ridiculously inadequate.

If you look at the Metro task force report,

Future Planning for Day Care, one of the interesting things they have done is show, first, the overall shortage of day care in Metro. It is fairly impressive stuff: 4,100 children on waiting lists for subsidized day care, which is equal to 24 per cent of the total provision as of last December.

If you look at the overall distribution, six per cent of pre-school kids of working parents are in day care, half of them are in subsidized care and the other half are roughly in unsubsidized care. If you look at a breakdown as to how the shortage is distributed, you have an overall situation of shortage in Metro and then within that situation of scarcity there is a further maldistribution of spaces.

I have taken the liberty of colouring them in on a map of Metro and the yellow areas are the areas that do not get their fair share of subsidized spaces. Guess which areas they are. The low-income, immigrant areas in west Metro.

This is my riding here, the start of the yellow. It extends through the west end of Toronto, with one exception, and up into the Downsview area, and it extends into the low-income communities in the east end of Toronto and the west end of Scarborough. So that clearly, even within the overall scarcity, there is fundamental injustice in the distribution of day care spaces.

3:10 p.m.

Now granted, that has to be addressed by Metro. They are the ones who are responsible for giving more of the scarce day care resources to the city and distributing day care without any kind of rational planning; granted. But there's only one way that situation can be remedied, and that is by an expansion of day care spaces.

You're not going to close down day care spaces in Forest Hill in order to accommodate the needs of low and average income parents in my area. That's not what's going to happen. Then do it by expanding the number of spaces that are available to Metropolitan Toronto and then rely on the political process, now that this information has been made clear and public, to make sure that the resources are distributed in a fair and equitable way.

But there's no buck passing as far as you're involved, because you have to make a commitment to an expansion of day care. The task force has recommended an additional 1,359 subsidized spaces, simply to equalize the distribution of subsidized spaces across Metro. We're not even talking about meeting need. We're just talking about, within a context of grotesque scarcity, redressing a balance of injustice.

And we're talking about 1,359 additional spaces. I was frankly disappointed that Metro council only voted to ask you for an additional

500 spaces. I think that was too bad. I guess the lines of communication between Chairman Paul and Chairman Keith are perhaps still intact.

Hon. Mr. Norton: Chairman Paul is not chairman of that committee, you know.

Mr. McClellan: Chairman Paul and Chairman Kruger run everything that happens down there, as you well know. And nothing happens in Metro social services that doesn't emanate from the illustrious Mr. Godfrey or the illustrious Mr. Kruger, nothing.

Hon. Mr. Norton: I must say that I would give more credit to the chairman of that committee than you do.

Mr. McClellan: Well, the chairman of the Metro social services committee, Gordon Cressy, is a member of the opposition who has exactly the same kind of power as the opposition member does chairing one of these committees—and you know it. And you know it damned well.

And you know the kind of power that the chairman has over the staff; it's a highly centralized, highly efficient and effective management system that's in place at Metro. The buttons are controlled, and it's very finely tuned. People dance when you push the right buttons. So I don't—

Hon. Mr. Norton: I won't quarrel with you now, but I may have some exceptions to make in my comments about the management system.

Mr. McClellan: Well, there are flaws in even the best management system. We can talk a bit about your management system too, I might get to that one.

The point is you've been asked for 500 additional places next year. I put it to you that's half of what's required to bring—I don't know how to put this—to balance out injustice within the context of scarcity. Okay? So the additional 1,300 spaces brings us to square one. And once we've achieved square one, then we can start to talk about some kind of reasonable planned, phased-in approach to the provision of day care.

Again, I'm just using Metro as an illustration because I only have data for Metro. But the situation is the same in every community across the province.

When we in the New Democratic Party talk about universally accessible day care, we expect the minister to understand that what we mean is we want to see enough day care for every family who wants it and needs it. We're not talking about one day care space for every child.

As a matter of fact, we probably don't know, and I don't think we have the planning tools developed to know, what universally accessible day care means in numerical terms, in terms of

the number of spaces. We sure as hell know it doesn't mean six per cent.

The Social Planning Council of Metropolitan Toronto suggests that it might mean 25 spaces per 100 children of working parents. I don't know whether that figure becomes universally accessible day care or not. What we are talking about is having enough spaces so there is a genuine range of choice and so that people are not forced to put their children into unstable and relatively haphazard situations simply because there are only enough spaces for six per cent of the kids.

There will always be a number of parents who prefer to make their own private arrangements, and that's fine. What we are saying is that each and every family should have the choice of making its own arrangements for placing its child in a licensed, supervised and paid-for day care centre, whether it is a group centre or a family home day care centre. What we are saying about family home day care is that, if family home day care is to be subsidized, it should be licensed. That is what we are saying, just so there isn't any confusion and just so you're not lumping us into the bogymen group from the *Globe and Mail*.

We are saying family home day care is an important means of providing day care, particularly infant care, and it should be expanded but, if it is to be available for people on a subsidized basis, it should be licensed—period. That will take care of the rest of the problem.

Hon. Mr. Norton: That's true at the present time.

Mr. McClellan: Except that it doesn't exist.

Hon. Mr. Norton: The 4,000 spaces.

Mr. McClellan: Yes.

Hon. Mr. Norton: All of those spaces that are subsidized are licensed although perhaps not individually, but through the centre that supervises them.

Mr. McClellan: What you mean by subsidy and what I mean by subsidy are entirely different things. I don't mean that kind of mean-spirited welfare process that you impose on people. We've had this discussion for the last five years.

Hon. Mr. Norton: Perhaps we can talk about how we compare with other jurisdictions in a few moments and later on as well.

Mr. McClellan: I'm sure we're better.

Hon. Mr. Norton: Our subsidies are in some instances three times what they are in other jurisdictions, including Saskatchewan.

Mr. McClellan: You already said that yesterday and I know you'll say it again today and

you'll say it again when we get to the day care vote. It doesn't make any difference to my concern.

Hon. Mr. Norton: If we're mean-spirited, I don't know what—

Mr. McClellan: It doesn't make any difference to my constituents, who are by and large new Canadians who will not go to a welfare office, even if the husband is out of work and the unemployment insurance benefits are terminated, or if they're on workmen's compensation and there's a problem with their Workmen's Compensation Board benefits.

They will not go to the welfare office under any circumstances. That's a reality in parts of this community and yet you force people to go to the welfare office in order to get a day care subsidy, and to undergo—

Hon. Mr. Norton: It's necessary at some point if people are going to seek assistance that they go somewhere. If you didn't preach so loudly and so frequently that there's something wrong with going to this "welfare office," then perhaps it would not have the stigma you are perpetuating.

Mr. McClellan: If I thought I had that kind of influence I would listen to what you're saying, but I don't, and you know very well that it would be a matter—

Mr. Grande: Do you really believe that's the reason?

Mr. McClellan: No, he doesn't.

Hon. Mr. Norton: It certainly helps to stigmatize it if you keep preaching about it in that tone. Why not call it a social service office where one goes to seek that kind of service?

3:20 p.m.

Mr. McClellan: You can't make a silk purse out of a sow's ear. People know what's there. I am just reflecting to you what people tell me. Perhaps I am not exercising a leadership role at this point but I am exercising my representative role in communicating to you the way people feel about it.

It would be very easy for you to devise a different way of applying for subsidization than having to go through what remains the most degrading means test still in use in this province today. The day care subsidy form, form seven, is still the most degrading means test that is imposed on any category of public assistance recipient for any program. It operates, and the minister knows it operates, as a barrier to use of the subsidy program. That is probably why it is still in place.

At any rate, we will be continuing the day

care discussion this afternoon and throughout the course of these estimates because I am absolutely convinced that the minister, for whatever reason, does not understand the significance of the day care issue to families in this province. As I said, just to recap, when I was elected I think it was a minority issue. Now I think it is a majority issue. It is as simple as that.

Whether you like it or not, your government is going to have to change its day care policies. You are going to have to adopt a modern day care policy suitable for the needs of a modern industrial economy which accepts the reality that women participate in the economy on the basis of equality with men. If you don't, you will pay the political price.

It has nothing to do with me. I have been saying the same things for five years. It has nothing to do with me whatsoever. It has to do with what is happening out there, with the way day care is affecting people and with the way women and their families are hurt by your government's failure to address itself to the day care issue.

I have absolutely no doubt that you will be forced to respond by the force of circumstances. That is one area in which I am optimistic.

Hon. Mr. Norton: As a matter of fact, you probably know that in another month or so we will be bringing out our new day care policy paper.

Mr. McClellan: Oh, good. I was making room on my shelves for the new wave of policy papers.

Hon. Mr. Norton: I want you to know that it will not be in response to the pressure that you are talking about, but something we've been working on for a long time.

Mr. McClellan: I have just one final issue and that is the social planning council's Suburbs in Transition report. I understand that the ministry doesn't like the report—

Hon. Mr. Norton: Where did you glean that understanding?

Mr. McClellan: A little bird told me—and that the ministry is critical of the methodology and some of the conclusions in the content. I want to have an opportunity to discuss those things in some detail at the appropriate time in the vote so I won't go into the substance of the report. If there are methodological difficulties, I would be interested in having a fair and full exchange around that.

I am curious to know, aside from that kind of critique, whether the minister is prepared to accept the overall analysis which seems to me, as a resident of this community, to be patently false evidence.

We have seen the kind of population shift. When I was a young social work student I had my first placement in Cabbagetown, at Central Neighbourhood House. Believe it or not, that was a low-income area then. All the social agencies were down there—Central Neighbourhood House, et cetera. They were all in the inner city. With the exception of the west end of the city of Toronto, the entire demography has changed totally and yet the social agencies are still all downtown.

The people have been displaced by white-painters and townhousers. They're stranded out in suburban areas. I'm not a whitepainter. My house isn't painted at all. The agencies are still downtown and that is basically all that the social planning council was saying.

Hon. Mr. Norton: That expression you used—I have heard some others used to describe the same thing.

Mr. McClellan: I had a 10-speed bike, but it was stolen.

Hon. Mr. Norton: Oh, are you a 10-speeder?

Mr. McClellan: No, it was stolen.

The Corporation of Metropolitan Toronto has set up a response mechanism to the Suburbs in Transition report. They have set up a sort of human services task force—whatever it's called;

I have it here somewhere. At any rate, I suggested when the report came out that it would be a useful initiative on the part of the government to establish some kind of interministerial body because of the self-evident nature of much of the problem, regardless of whether you want to nitpick about details.

I suggest this be under your leadership or jointly between yourself and the Minister of Intergovernmental Affairs (Mr. Wells) so that the government here would have the capacity to sit down and work with the structures that have been set up in Metropolitan Toronto to start planning for the social service needs of our suburban communities.

That is the proper initiative after the work that was done by the social planning council. When we get to the vote I would be interested in discussing in detail both what they discovered and what your response will be to their report.

That is basically all I wanted to say by way of leadoff, Mr. Chairman. I look forward to spending a couple of weeks going into some of these things in detail with you, the committee and the minister.

Mr. Chairman: Having completed its business for today, the committee will adjourn until next Tuesday.

The committee adjourned at 3:28 p.m.

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Norton, Hon. K.; Minister of Community and Social Services (Kingston and the Islands PC)



No. S-29

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Community and Social Services

Fourth Session, 31st Parliament

Tuesday, October 14, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

TUESDAY, OCTOBER 14, 1980

The committee met at 3:36 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES (continued)

Mr. Chairman: I call the committee to order.

I should just make mention of the fact that tomorrow the committee will not be dealing with the estimates, but rather will be dealing with Bill Pr31, An Act respecting Canadian School of Management. Essentially that is an education bill—an important bill, I understand, from the point of view of the Ministry of Education. So I just wanted to remind the committee that we would not be dealing with estimates, but rather we would be dealing with a private bill instead.

Mr. Blundy, I believe it is your turn, sir.

Mr. Blundy: Thank you very much, Mr. Chairman.

I have looked over the statement made by the minister for his opening remarks and I thought about the first portion of his remarks in which he was talking about strengthening the family and making a strong family and family commitment, and so on. All of us, of course, have to agree with that statement; there is no arguing about that. We would all be better off if we did have a stronger family formation.

But we also have to be realistic. Statements on the number of social workers involved today—the family is drowning in all these social workers, and so forth—are a little silly because the strong family formations are not using these professional workers at all. It is the very weak family formations, particularly the single-parent families and so forth, who need the help, the advice and the assistance of social workers today.

I really do not think the minister should be hitting out at the social work field because they are only being drawn into the fray when the family formation, which we all respect so highly, has already been weakened, and in some cases, destroyed.

I believe it brings forth my view that this government is weakening its commitment to social services, actually decreasing expenditures in the social field and not even maintaining current levels of funding. The minister will say

there are X number of dollars more being spent this year. This is what he said in the statement. But I would like to point out that in 1976, for instance, 11.05 per cent of the gross provincial product was spent on Health, Education and Community and Social Services programs. The social policy field consumed 69 per cent of the provincial budget.

Yet in 1980, only 9.85 per cent of the gross provincial product was spent on Health, Education and Community and Social Services. In total, the social policy field consumed only 65.6 per cent of the provincial budget. These calculations can easily be worked out from 1980 budgets and previous budgets.

Ontario now ranks ninth among the 10 provinces in per capita spending on social needs. If social program spending in Ontario had even matched the average spent by the other provinces, the human services budget would have been at least \$986 million more.

3:40 p.m.

These remarks attributed to the minister, talking about these people and particularly the families drowning in a sea of professionalism and imploring for more independent family support and responsibility seems to be a credo that he shares with the Provincial Secretary for Social Development (Mrs. Birch), who has done literally nothing but preach government noninvolvement in the funding and development of essential social services: Get the private sector and volunteers and so forth in.

Hon. Mr. Norton: Excuse me, Mr. Blundy, I certainly don't mean to interrupt you, but unfortunately you were unable to be present last Wednesday when I did respond briefly to Mr. McClellan when he expressed concern about the same remarks.

The only point I would like to make is this. Although the quotations that were contained within the report to which you are referring were by and large accurate, the expressions which you are focusing upon, and which others have focused upon, are not things that I have ever said.

The specific reference is to the—

Mr. McClellan: Are we talking about the Globe and Mail item?

Hon. Mr. Norton: Yes. The specific reference is to a tidal wave of professionalism and the family drowning in too much health.

Mr. Blundy: That sounded a little too dramatic for you.

Hon. Mr. Norton: It sounded more like the kind of dramatics we get from Mr. McClellan once in a while, but I don't quite have that turn of phrase. No, those were, to the best of my knowledge, the creation of a very creative headline writer.

Mr. McClellan: The deranged editor syndrome.

Mr. Blundy: There must have been something in the actual words you used that would have caused him to use phrases like that.

Hon. Mr. Norton: I think probably you and all of us around here have had enough experience with the media to be aware of the fact that the person who writes the headline is not the person who writes the article. They have special individuals—they must be very special individuals, I am sure—who sit in the Globe and Mail and other major newspapers and whose full-time job, as I understand it, is to write headlines.

Although people may take exception to some of the quotations in that article which resulted from an interview lasting something like 12 hours and which, although accurate, were very compressed—it was a very compressed effort on the part of the journalist; he was accurate by and large in the quotations, but it was a 12-hour interview compressed into a story in the newspaper and it was a fairly wide-ranging one.

I don't criticize him in terms of accuracy, but I think what has coloured a lot of the interpretation of that interview is the creativity of the headline writer, as opposed to the content or the effort I made to raise concerns about certain issues.

Mr. McClellan: Something you said in the 11th hour.

Mr. Blundy: I am sure, Mr. Minister, we have all been subjected to that headline-hunter problem. Sometimes it worked well and sometimes it didn't, and maybe this is the one time it didn't work for you. However, I think the write-up that was in the paper, as you say, probably reflects fairly well what you did say.

Hon. Mr. Norton: Don't jump to that conclusion. Read carefully what I said, and then decide.

Mr. Blundy: Okay. Anyway, I believe we can't just wish the demands for social services would go away or would lessen. They are here and we do have to provide for these people. The people

who are in need of these services are people who have no other way to go, as a rule. I believe nobody wants to be in receipt of any of the services that are offered, if they had their own choice in the matter. I just wanted to point out that one particular matter.

One thing I would like to talk about for a moment, Mr. Chairman, is the organization or the disorganization of ComSoc.

Ever since I've been involved in this area of criticism I've heard about the reorganization and about the studies that were done and the work papers, et cetera. I sometimes wonder if it is really organizing, or is it disorganizing further, because it's very difficult, not only for me, but people involved in delivering service in our areas to follow it all.

Last year I did mention the cost of all these things. I wonder, has the ministry ever done a cost study on the price of reorganizing its bureaucracy in and out of the program modules of adult-children services. And can the minister estimate the cost of reintegrating these areas of his ministry, separating the children's services and then reintegrating with the adult services, and so on?

Your ministry has been known for having conducted operational reviews within the ministry—and, more recently, of the children's aid societies—for several years. In that regard, has the ministry ever subjected itself to the same kind of operational review that has been done recently in the children's aid societies?

The next thing I would like to comment on is the level of social service workers' pay. We have seen in almost every area of the social service field—in the children's aid societies now, with the mental retardation workers and various social service deliverers—the problems we've had with strikes and lockouts. When you look at the level of services provided, it's very easy to see the problems that exist.

The job evaluation and pay determination study that was done for the Ontario Association for the Mentally Retarded is very clear in the problems they see. Internal pay practice: as you heard earlier today a comparison of job rates represented by the pay curves done by Woods Gordon reveals that current pay practice of the associations is about 34 per cent behind the pay practice in government-operated facilities and on average about 20 per cent behind the pay practice of similar service organizations. It is no wonder we are currently seeing the problems in Hamilton, St. Catharines, and other places right at this very time. I certainly believe the minister should make some comment on that.

The next thing I would like to talk about is the

archaic, inadequate, income maintenance legislation. In today's inflated society it's just beyond me how people can live on the money that is now being paid in the way of benefits. I know that it's money, but they do have to live as well as we do.

Not only are there inadequate income maintenance levels, but there is sexual discrimination as well, written into the Family Benefits Act and its regulations and, as far as I can see, practised through your ministry policy every day.

For instance, single, nondependent fathers and physically handicapped married women are denied benefits in their own right. There are approximately 34,000 single fathers in Ontario; that is an estimate of a year ago, and over 200,000 single mothers, yet almost one quarter, or 50,000, single mothers receive Family Benefits Act allowances, while only 20 single, nondependent fathers receive FBA.

Why must children of a single father be made to suffer because the Ministry of Community and Social Services insists on providing income maintenance based on gender and not need?

3:50 p.m.

The fact that 20 fathers do receive FBA by order in council proves that the ministry recognizes the validity of single fathers receiving benefits. But it seems most of these men were successful in winning benefits only by raising Cain in the newspapers and with anyone else they could contact.

These men and their families have absolutely no procedural protection. There is absolutely no official procedural process for these men to follow when applying for benefits through section 8 of the act. It is only through sheer luck and persistence that they eventually have their cases heard in cabinet circles where these arbitrary order-in-council decisions are made, based on secret, or perhaps no, eligibility criteria.

Hon. Mr. Norton: If I might just interject on that last point, it is of concern to me if you think the criteria are secret, because that is not the case.

Family benefits handbooks and other documented material are available—I think copies were distributed to the members of the House—in all our offices across the province to anyone who wants to have a look at it. If you check this material, you will find that several clear criteria have been established for the order-in-council route. It was a couple of years ago at least that I placed this matter on the basis of clear criteria of eligibility that would be considered.

So it is not as arbitrary as it might appear, nor is it secret. That information is available.

Mr. Blundy: I talked to one single father who had myriad problems; I was surprised at the length of time his case took. Although he is now getting FBA benefits he is at present planning to appeal the recent social assistance review board decision which denies him retroactivity of payment—something that is automatically granted to the mothers but is withheld from this single father.

I don't see how a father can be discriminated against when he is a student and not employed, as was the case of the person I am discussing. He has no income and is in the same position as a single female parent. I believe there certainly should be much more open handling in problems of this nature.

Similarly, disabled married women are victims of the Family Benefits Act as far as I can see. Despite frequent recommendations and the fact that 1981 is the United Nations International Year for Disabled Persons, ComSoc appears to have no plan whatsoever to allow a married disabled female to apply for FBA benefits in her own right, even though disabled males who are dependent on their wives for support and maintenance do have the right to apply for assistance.

Furthermore, there is completely unnecessary distinction between a permanently unemployable person and a disabled person, which results in the unemployable person receiving a reduced level of benefit. All of these things may seem small to us, but for the potential recipient they are not small matters; they are very important.

What is the status of your ministry's review of discrimination in the Family Benefits Act—the same review that was asked for by my colleague, David Peterson, in the House some few months ago? At that time you said you would try to forward to him information on this subject, but apparently that did not happen.

The government seems to have a lot of money for advertising campaigns; that does not seem to be a problem. However, about three years ago you said in the estimates committee that you figured it would cost \$12 million to eliminate sexual discrimination from the Family Benefits Act and its regulations. I would like to know exactly how that figure of \$12 million was arrived at. As well, we would like a precise calculation in today's dollars, so that the disabled and single fathers in the communities can study the validity of the calculations.

Still on the subject of levels of pay, does the minister have any plan to introduce a shopping-basket approach to setting more realistic benefit levels in the family benefits program? Whether you are making \$30,000 or living on FBA, it

costs as much to buy a quart of milk, a loaf of bread or anything else at the grocery store. I really do not understand how people can have a proper diet on the existing levels of FBA benefits. It is certainly time for that allowance to be looked at in a more realistic manner.

Day care has been discussed earlier and you referred to it in your opening statement. I would like to make a few comments in that regard as well.

The lack of adequate child care in Toronto has been termed a crisis situation in two recent reports prepared by the Metropolitan Toronto Social Planning Council and the Metropolitan Toronto social services department. Subsidized day care is also severely lacking in the Ottawa-Carleton region. The need for emergency supplementary funding for these two cities is perhaps not so much through poor budgeting on their part, as the minister would like to insist, but because the municipal and regional social services departments are trying to meet the immediate and undeniable needs in the community.

The minister remarked on October 9 in the House that he was impressed by the completed Metro social services day care committee report. It is noted in Hansard that you said, "I was particularly impressed with the responsible approach they have taken in their request to the province with respect to next year."

The question now is whether that impression on you is going to result in some marked change in the situation in that area. Is the minister now able to commit himself to an expansion of his ministry's budget for provision of 500 more spaces next year?

The next thing I would like to discuss is crisis centres for battered women. While to most of us sitting around the table here that need might not seem to be an important one, out there in the communities, particularly in our larger centres, it is a growing need. The case load is mounting right in my own community. So we have a need for increased assistance in this area.

There is growing recognition that women deserve a refuge from violent husbands. There are many dedicated people willing to organize crisis services for women and their children, yet ComSoc has not bothered to rationalize the funding of women's crisis centres. Such services remain under the hostels section of the General Welfare Assistance Act, a 20-year-old piece of legislation originally designed to meet the needs of transient men.

Many transition and interval homes must rely heavily on public donations to supplement periodic grants given by municipal governments,

and such grants vary from \$16 to \$25 a day to \$6 a day per bed in northern Ontario. Shoestring budgeting places the future of each crisis shelter in jeopardy, along with, we might assume, the wellbeing of mothers and children.

4 p.m.

Is the minister looking at this need in our communities? Is he willing to make a commitment to rationalizing legislation and funding for women's hostels so that there can be better recognition of the costs of providing counselling and other specialized services, thus creating a climate of encouragement for establishing such centres on a permanent basis?

We have seen it happen in the past that a one-shot funding deal has been provided. Once the service gets going, the funding fades away and the centres are left high and dry. They have to go to the municipality for funds.

Next I would like to speak about community support services. This is a phrase that we hear so often. I know that there are certain projects going, but, generally speaking, across the province there are many areas that do not have adequate support services. Rest homes and lodging homes are becoming more and more populated with residents requiring heavier care. They end up in these unlicensed facilities because nothing else is available to them.

With an acute shortage of beds in chronic care hospitals, nursing homes and homes for the aged, elderly people are having to settle for nonregulated rest homes. There are no guarantees that residents will not be exploited by unscrupulous operators.

What is worse, there are no guarantees that they will be living in even a minimally safe environment. Most municipalities do not have fire bylaws covering rest home operations. They may sometimes be visited by the fire inspector in the municipality, but there should be some legislation which will guarantee regular inspections of these homes.

The fledgling rest homes association has recognized the need for setting physical plant and program standards, but requests in this regard have met deaf ears. As long as this government fails to meet the needs of our senior citizens in the community through comprehensive home help programs, and continues to deny them access to a better quality of supervised residential care, rest homes will continue to take in people who are perhaps not best suited to the rest home environment.

We are being promised, in my area, that we are going to have more in the way of community support services in order to keep people in their homes. The Minister of Health (Mr. Timbrell) is

talking about starting a chronic-care program, perhaps at the beginning of next year. But so much of this is like putting the cart before the horse. I don't believe that hospital beds should be cut, and the same thing applies in the institutions under the Ministry of Community and Social Services. There should not be any cuts until it is quite obvious to everyone that the alternative care is already there.

We are all aware of the Mississauga nursing home tragedy, following which it was revealed in an article in the *Globe and Mail*, on July 17, that the ministries of Community and Social Services and Health prepared an internal report urging the government to get municipalities to license and register all private and commercial adult residential facilities such as lodging homes and rest homes.

Was this report ever made public? I don't remember seeing it. I would like very much to know exactly what you are talking about in that regard.

When will home support service proposals be available for public scrutiny? Has the ministry set a deadline for the preparation of this legislation? These are things that we are looking at in our municipalities.

I want to touch also on children's mental health services briefly and make a few comments there. There was a matter in the paper recently about an emotionally disturbed child who is waiting. That article prompted me to bring up this matter and another matter that has been brought to my attention. I would like to read you a case about a girl, whose name will not be mentioned by me, and just outline the problems that have gone on in this case.

This is a 13-year-old girl and she has been diagnosed as having cerebral palsy, epilepsy, spinal scoliosis and mental retardation, among other afflictions. Doctors have said she is a great nursing problem—that is a quote of Dr. John Prichard at the Hospital for Sick Children—has been bedridden since birth and also requires intensive medical and nursing management.

She has always been cared for by her parents, but they are no longer able to cope and have, therefore, tried to get Angela into what they consider the only Toronto nursing home for children, namely, the Villa Private Hospital. Villa, however, refused Angela's admission last November. The form letter refusal suggested Angela does not match the home's clientele, does not require the same level of medical care, and is not able to benefit from education and social programs available.

Perusal of this family's documentation shows that she does require regular medical care, and

it is maintained by child experts that any child, no matter how disabled mentally or physically, can benefit from stimulation programs.

Refusal by the Villa appears to be typical of how private nursing homes avoid admission of heavy nursing care patients whose treatment is more costly than normal. A place must be found for this girl. I am sure Mr. Norton is familiar with the person I am talking about.

In the letter from the mother of this girl—she can document all of the things that have gone on for a number of years with this 12- or 13-year-old girl—she says she has visited the Villa on two occasions, once to assess the facility and pick up an admittance form, and again to deliver personally the daughter's application.

She says: "I was very much impressed with the facilities and the competent staff and would certainly feel at ease if she could be placed in this type of environment. I am completely at a loss to understand the reason for the Villa refusing admission when space availability at the time was not a matter of question."

This young girl has been turned down in a number of places. The family are really beside themselves because she is becoming more and more a burden to them and a more difficult case to handle. Really, I don't think we can congratulate ourselves on the social services of the province when a family is put to the problem that this young lady's family has been undergoing in this past while.

Another thing I would like to know is can ComSoc now provide an answer to tracking information? I asked a question about the tracking of children who were in care, and many children who go through multiple placements in a short period of time.

4:10 p.m.

Is there a ministry policy detailing procedure for case review of a child who undergoes more than two transfers a year? As you will recall, Mr. Minister, I did ask a question about that before, but I believe the tracking system that you are setting up was not completely in use at that time. I would like to have you give some assurance that this has now been determined and is in operation.

You talk about parental support orders and those that were in arrears, and while the situation is not perhaps as bad as it was when this matter was raised some time ago, I would think the record, even as laid out in your statement at this time, is one that ought to be able to be improved on.

I know there is the possibility of people going to other provinces. Is there no way that reciprocal arrangements can be made with the other

provinces of Canada? It is not like going to no-man's land. It seems a pretty bad scene when so much money that is owed for support is still uncollected. I believe a greater amount of work is going to have to be done in that regard.

Another matter that is often brought to my attention, Mr. Minister, is that of the number of people we meet who need to have assistance aids or technical devices—artificial limbs, wheel chairs, and so on—many may not qualify under the present schedule of things. Many may be even outside of ComSoc's vocational rehabilitation program.

It seems to me that we could make their lives, and the lives of their families, a great deal more pleasant if there was a greater input from your ministry in this way. I want to ask you what is being done. Is it true that the only expansion of an assisted program will be made under the auspices of proposed home support care legislation, currently being developed by ComSoc and Health jointly? Would the minister outline the possibilities for funding of such devices through this type of legislation?

I would like to go back to an old chestnut, and that is the children's aid societies of Ontario and the problems they have been experiencing. I believe there is no question in the minds of any of us that the work of the children's aid societies is growing every day, not only in the number of children who are having to be cared for, but also in the number of new child-abuse cases. As I understand it, this matter is being looked at in the way of the budgets of the children's aid societies.

But what is happening right now, Mr. Minister, is that many of the children's aid societies in Ontario are operating on borrowed funds, paying a very high rate of interest on not having sufficient funds. I know one children's aid society, in particular, that is having to borrow money at the bank to operate. Of course they are having to pay interest on it as well.

The children's aid societies are still suffering, and their case load is growing all the time. There are some societies, I believe, that are in a better position than they were. But it is still a very serious situation and one that needs a great deal of help. And I hope the current program with the children's aid societies is going to uncover some of the needs in that direction.

I would like to talk about the matter of the FBA or general welfare family benefit allowances being decreased when federal funds are increased. Now I know with this current or most recent \$35 that is being passed on by the federal government, that money is going to be passed on to the recipients. But back some time ago—I

think it was about May—I wrote to Monique Begin, the federal minister, and asked her: "What about this thing? I would like to hear what you have to say."

I am just going to read the letter she sent to me. I think it will be worthwhile for all of us.

She says: "Thank you for your letter of March 17 expressing concern about the reduction of provincial family benefit allowance for persons who are also receiving payments from federal programs such as old age security. Let me begin by very sincerely apologizing for the long time it has taken to answer."

She answered in August by the way, so it's not only this government here which takes a long time to answer letters. I wrote in March and she answered in August.

"As you know, under the terms of the Canada Assistance Plan, the federal government shares up to 50 per cent of the cost incurred by a province in providing social assistance to persons in need. The province, however, is responsible for the administration of the program.

"Assistance is granted on the basis of a provincial needs test, which takes into account a person's needs and resources available to him or her. Mr. Norton is quite correct in stating that the province is required to take into account all available income when determining a person's budgetary requirements.

"Under the terms of the Canada Assistance Plan agreement between the federal and provincial governments, provinces must take into account the entirety of federal income security payments when applying a test of need. However"—and this is the part I wanted to read for the minister's sake; there is always a however in life—"what Mr. Norton does not point out is that the province could easily ensure the federal increases are passed on by raising the amount of the family benefit allowances which it pays. This would be entirely permissible under the terms of the Canada Assistance Plan."

Now that's exactly what you're doing with this recent \$35 that came in, and that is pointed out in her letter. She says: "The clearest example is with the old age security program benefits which are indexed quarterly and to which we have just added \$35 a month to the guaranteed income supplement, and which subsequent to this has been announced that that would be passed on to the people."

So I really don't think when somebody gets an increase in their federal pension, you can say you must cut yours down. You could always raise the benefit level to take care of that, and allow the people to get the benefit of the small increase that is coming.

Hon. Mr. Norton: That's the end of that one? I'll respond.

Mr. Grande: I responded for you. "Never, I shall not do it."

Mr. Blundy: We'll be interested in your response in that regard.

Anyway, Mr. Chairman, I believe those are the main things I wanted to bring forth to the minister today, and would be pleased to have his comments on. As we go through, we will be able to get into more detail on many of these matters and others that will come to mind at that time.

4:20 p.m.

Mr. Sweeney: Start with the last one.

Hon. Mr. Norton: Actually, I have about three pages of notes from Mr. McClellan's opening remarks. I suppose I ought to begin by responding to them. I won't attempt to respond to all the issues that have been raised in the opening remarks. I think some of them perhaps should be more appropriately responded to in the course of dealing with the votes and items as we go through the estimates. What I will try to pick out at this point, as I hastily review the notes I have made, are areas which I think might not come up during the course of the subsequent discussions.

The first matter Mr. McClellan raised related to the children's aid societies operational reviews. I am sure they will come up again, but at this point I might just comment upon his expressed desire to have the reports of the operational reviews released to the public. I have indicated I have no objection to that. In fact, I would encourage children's aid societies to do that.

I am not sure whether it was in my discussions with Mr. McClellan or with members of the media afterwards who were asking me questions, but at that time I indicated that when we embarked upon the operational review process with children's aid societies one of the things that was important to us was that the process should begin and be conducted as a partnership effort. We have been very encouraged by the co-operation the children's aid societies have afforded both to us and to the people conducting the operational reviews.

One of the things we attempted to ensure it was a co-operative effort was to enter into an agreement with each society with respect to the conduct of the operational review. We have agreed that in each case the report is being done primarily for the benefit of the children's aid societies and, obviously, to some extent for the benefit of the ministry. In some instances, they have pointed out inadequacies in our own rela-

tionship with the individual society which has been of help to us in trying to improve those relationships.

Up to this point it has been a society's decision as to whether or not it will release its report, which we have been treating as its property. As you know, in some instances they have done that quite willingly. In some others they have not done that. In even more cases, I suspect they will do it after they have themselves had an opportunity to review the report fully.

Mr. Blundy: Whose report is it? Is it theirs? Is it jointly yours and theirs?

Hon. Mr. Norton: As I understand it, in the agreements we have reached with the societies up to this point all have included a provision that the report is the property of the society, not of the ministry.

I also point out that the executive director of the Ontario Association of Children's Aid Societies has been quoted in the press—and I believe that to be accurate at this point—as saying he too will encourage societies to release those reports.

Personally, I think much is to be gained by the release of the reports. If nothing else, it will remove a lot of the suspicion that arises when reports are not released. I think the timing is something the society may wish to control because, before it is a public document, the board may want to review it in detail, to familiarize itself with any problems that are pointed out and, in response, to begin developing a work plan and an implementation plan of changes.

I will certainly continue to try to encourage societies to do that. I think, though, it is important I not take an arbitrary stand at this point and simply say, "In any future agreements we will make it our report so that we can release it." I would be concerned that might disrupt the relationships in this process which have been very good to this point.

I am not troubled, as are some, by the fact there are problems being pointed out. Obviously, I am troubled there are problems, but I am not troubled that they are being pointed out because that is the purpose of the exercise. Surely the members of the Legislature and members of the general public ought to be encouraged by that as well.

Mr. McClellan: If we only knew what they were. That's precisely the problem.

Hon. Mr. Norton: That is a valid point and is the point I was trying to make, perhaps with a little more subtlety, in my earlier remarks. Clearly, the intent is to find ways in which the societies and the ministry can work to improve

in areas where there have been problems. Generally, it has been a good process. Of course, if we had done nothing, one might not be aware until some time in the future of the problems we are identifying.

In a sense, we are providing fodder for the media if they choose to jump on that and make it sound as if children's aid societies across this province are in a state of disaster. I do not believe that to be the case. We have to balance that information with the fact that children's aid societies, while no doubt in difficult times, are nevertheless doing a very good job in serving the children of this province and, I'm sure, will continue to do so.

When this kind of information becomes public we have to do our best to try to put it in perspective by reminding the public—if the media will ever quote us on the positive things—that children's aid societies are doing a good job.

Mr. McClellan: We will have a chance to come back to that.

Hon. Mr. Norton: Oh, sure.

Mr. McClellan: I intend to move a motion in the committee with respect to the release of those reports. I understand what you are saying, but I think the agreement was a mistake.

Hon. Mr. Norton: You are free to—

Mr. McClellan: We will have a chance to come back to the arguments, pro and con, but if you are asking us to approve a budget of \$115 million for children's aid societies we have the right as a committee to be satisfied that each and every society is fulfilling its mandate under the Child Welfare Act. I submit we cannot do that unless that information is as available to us as it is to you.

Hon. Mr. Norton: Yes, as long as you bear in mind there is also the possible repercussion that the process which has been embarked upon may come to a screeching halt if the effect is to contribute to a breakdown of the co-operative relationship that has existed up to this point. Obviously, if faced with such a resolution from this committee, I would have a very difficult decision to make. However, I am capable of making difficult decisions.

Perhaps it is worth touching upon the matter relating to sheltered workshops and the issue as to whether the remuneration paid to individuals working in the workshops is a pay rate, a salary or wages, or whether it is an incentive relating to a training program.

Certainly, the program was not designed primarily with the intention of providing employment in a sheltered situation, but rather with the intention of providing a training work place for

the individuals who are involved. When we talk in terms of whether it is six cents, or \$1.25, or whatever the figure may be in a given workshop, that surely has to be seen in the context that most of the individuals who are working there go there for the purpose of workplace training and are receiving, at the same time, benefits under the family benefits program in the province.

I suppose that debate is one which will continue and may well come up again when we get to that point.

4:30 p.m.

I suppose the alternative is that any individual who goes into such a work place could be treated as being employed, if that is what you wish and, therefore, as being ineligible for family benefits. We could pay them comparable amounts in hourly rates and pay them an hourly rate that would perhaps be more acceptable to you.

We would then have a rather different situation in terms of fringe benefits and so on that are associated with the family benefits program. It seems to me it is six of one, half a dozen of the other, whether one wants to focus upon it as a wage paying setting for employment or whether one wants to view it as a training setting.

Mr. McClellan: May I respond?

Hon. Mr. Norton: Certainly.

Mr. McClellan: First, the context I was trying to put it in was the programs available to the disabled who have, if I can put it this way, the good fortune to be injured on the job as opposed to off the job and the disparity between the way the two groups are treated. That is the context.

Secondly, and we can discuss this in more detail, I do not think it is an either-or situation because the information we gathered through the survey indicates that a great number—I do not know how many—of the vocational rehab plans are not receiving the maximum they would be permitted in wages or incentive grants, whatever you want to call them, and still remain on family benefits. They are falling far short of that, in some cases in the order of \$20 to \$30 a week in wages, whereas they are eligible for substantially more than that before their fringe benefits terminate.

There are all kinds of ways one can look at it. I want to get into detailed discussion when we get to the vote. I just want to be clear about the point I am trying to make.

Hon. Mr. Norton: Okay.

Mr. Sweeney: Can we deal with this more extensively? Could you bring us back any kind

of report as to whether or not these workshops make a profit?

Hon. Mr. Norton: Yes.

Mr. McClellan: That is one of the things we need to talk about, because the ministry siphons off profits that are in excess of the operating budget. A workshop that is doing really well in selling its product and is generating a good profit is not permitted to retain that profit and plough it back into wages, because they would then be afoul of the ministry's funding formula.

We need to look at that in some detail. Perhaps, as Mr. Sweeney suggests, if you have any detailed information about the kind of profit these workshops are generating, that could be a good basis for our discussion.

Hon. Mr. Norton: It would depend on how you construe profits, for example.

Mr. Sweeney: The ones in my riding are sponsored by service clubs and my understanding in discussion is that they do not make any profit out of it. I want to know how that term is used and what your records show. That is why I am opposing—

Hon. Mr. Norton: Do you mean, "Are some of them profit-making corporations as such?" Or do you mean, "Do they have operating revenue coming in from the sale of products or the performance of services?"

Mr. Sweeney: They end up with excess funds after they pay all their bills. That is the question—profit in that sense of the word.

Hon. Mr. Norton: I do not believe any of them do. Some come much closer to that than others.

Mr. McClellan: Some have their profits expropriated, as I understand it.

Hon. Mr. Norton: It depends what you mean by profits, because the—

Mr. McClellan: I mean revenue in excess of the approved operating budget.

Hon. Mr. Norton: Let us discuss that when we come to it because it becomes a little more complicated than that. The way you describe it, it sounds as if there are some that are totally self-sufficient on the basis of the revenues they generate and that we somehow capture that back. I do not think that is the case.

What we do is we approve a budget with, as I recall, a particular percentage allowance or revenue over and above that budget. If they exceed that, then there is some recapture, but that does not mean they are making a profit in the total operation. In most cases, they are still very heavily subsidized by the program within the ministry, but they may be exceeding the percentage

of allowed revenue over and above the approved budget.

Mr. Sweeney: Can we get some kind of a statement on typical examples—high, low, in between?

Hon. Mr. Norton: Certainly. Perhaps, as with Mr. McClellan's expressed interest and concern about programs for the handicapped during the International Year for Disabled Persons, we can discuss that more fully later on. I am not yet free, and I do not know whether I will be by the end of our estimates, to outline in any detail the governmentwide programs that are at present in the planning stage for that year. There are at least five that have an impact upon our ministry, but until they have received all the necessary final approvals, I am not free to discuss them in detail.

One of the things Mr. McClellan mentioned is something I also regard as very important; that is, employment opportunities for handicapped persons, especially in areas of competitive employment, for most if not all handicapped persons. This has to be the objective towards which we continue to strive.

In the last year or two I have had a number of opportunities to meet with some of our larger corporations in the private sector of this province to discuss with them and to urge upon them programs or initiatives which they might consider in terms of recognizing the skills that many handicapped people have to offer, with a view to creating employment opportunities in their work place. In some instances I have been very encouraged both by the interest which is shown and by the active planning which some are actually doing.

I know that one major oil company in the province is now looking at the possibility of creating employment for handicapped people. One of the areas they are looking at relates to the operation of self-serve gas stations. There are some problems in terms of fire safety that they have yet to overcome; they are trying to find ways to deal with that.

Generally, the progress has been slow. Mr. McClellan made reference to the fact that virtually every western country has a quota system, but to the best of my knowledge that is not the case. I know that West Germany has a quota system. I do not know, offhand, of other countries that have a specific quota system; there may well be some. Perhaps later we could talk about some of the pros and cons of a quota system as well.

Mr. McClellan: Most countries do—I do not have my file here, but most do have a quota system. I think we should discuss that.

Hon. Mr. Norton: If they do have such a system, there is then the question of whether they may not in fact abide by it. I do not know. I would appreciate any information you can provide me on that.

Just for clarification, Mr. McClellan—it may lead to a more complete discussion later on—you made reference to a report, and I am not sure how you described it. I am not sure whether you thought of it as our report, or as a nationwide report on income security. Were you referring to what is called the ITFASS report—the one that was prepared at the request of all the provincial ministers a year ago?

Mr. McClellan: Yes.

Hon. Mr. Norton: That report has been released now—I believe following the meeting of the ministers this year in New Brunswick. It was not clear to me what your problem was in terms of the report. You said something had been kept out of it?

Mr. McClellan: I just skimmed it. The CCSD published it in a little booklet. Somebody put it on my desk. But it seemed, on skim reading, that the recommendations had been eliminated.

4:40 p.m.

Hon. Mr. Norton: The CCSD?

Mr. McClellan: The Canadian Council on Social Development.

Hon. Mr. Norton: I thought it meant cabinet committee on social development, that Mrs. Birch had published it. I was going to say it had already been done.

Mr. McClellan: I just referred to it because of the recommendations that the original committee had made. It was basically a counsel of despair because of the complexity.

Hon. Mr. Norton: We may be talking about two different things. The one I am speaking of was published by the Intergovernmental Conference Secretariat at the request of the provincial Legislature.

Mr. McClellan: Let me double check that.

Hon. Mr. Norton: The report and some of the background material that was available to us contain some information that was disturbing.

For instance, the total amount of money that is involved in income transfers within the country is at present running somewhere around \$18 billion or \$20 billion a year. What is disturbing about that, in my opinion, is that a lot of that income transfer takes place to families with relatively high family incomes. If one looks at the total picture, the lower family income groups receive a very small portion of that total amount.

Part of the explanation lies in the fact that the bulk of the money involved is transferred at the federal level through their programs. Relatively small amounts are engaged in transfers to the provinces as part of the provincial benefit programs that are operating in the country.

Maybe you can check on your report. We will discuss that more fully a little later.

Mr. McClellan: The context was the need for the development of a universal accident and illness insurance program, ideally at the federal level, that would rationalize a whole bunch of programs that are at present fragmented and overlapping. But, if it should be necessary, this could be done at the provincial level by way of initiative, in the same way that medicare was introduced, firstly, in one province.

Hon. Mr. Norton: Perhaps what you are striking at could be made to go one step further. It could also apply to individuals who are not necessarily the victims of what we would normally describe as accidents, but who may suffer from congenital or other kinds of handicaps.

Mr. McClellan: I hope that kind of a scheme, once introduced, could be phased in and gradually be made more and more encompassing; that it would include persons with congenital defects as well as people injured on or off the job—those in the work force and those not in the work force.

Hon. Mr. Norton: Almost like a guaranteed annual income scheme of some sort for people who are not able to participate fully in the work force.

Mr. McClellan: Yes. But I am suggesting it should be run on an insurance basis.

Hon. Mr. Norton: Are you talking about it being funded entirely on an insurance basis?

Mr. McClellan: Yes.

Hon. Mr. Norton: Perhaps we can also discuss your concept a little more fully later on.

Mr. Blundy: He is talking about a government plan, an insurance plan, right?

Hon. Mr. Norton: That is, as something which everyone would contribute to as a means of providing themselves with insurance against those kinds of eventualities?

Mr. McClellan: Right.

Hon. Mr. Norton: But to be eligible you would not have to have contributed for a period of time—

Mr. McClellan: It would be run on principles of social insurance so that the funding—if you want to talk about the funding mechanisms we could do that. I would see it as having a composite set of funding mechanisms that would involve

employers and employees, and general revenue in some way, to pick up those who are not in the work force.

Mr. Blundy: You mean, this would replace private health plans?

Mr. McClellan: Private income replacement plans—short-term and long-term disability insurance for those who have it.

Hon. Mr. Norton: It is tempting to get into this right now, at least for my own information, but just one further question I would ask: Can you see there being a fixed amount in some way related to what one's earnings had been or what one's contributions had been—insurance in that sense?

Mr. McClellan: You would probably have to have it occupationally based because the bulk of the coverage would be for people who have a participation in the work force and because we are talking about integrating it with a number of other programs and plans which are occupationally based.

There are all kinds of things that have to be worked out, and one of them is how to cover people who do not have an attachment to the work force. One of the ways you can do that is by establishing fairly generous minimums based on some relationship to the average industrial wage.

My guess is if Dr. Weiler's report is acted on and he moves to the second phase of his report, you will see some recommendations along those lines, dealing with the problem from the workmen's compensation perspective.

You can approach the problem of income security from any number of perspectives from your seat, from the seat of the Minister of Labour (Mr. Elgie), or from the seat of the federal Minister of Health and Welfare.

Hon. Mr. Norton: I would rather approach them from my head than from my seat.

Mr. McClellan: You have the opportunity.

Hon. Mr. Norton: It seems to me there has to be something. If we can get the kind of co-operation that would be necessary, and I am not sure how optimistic I am about that, there is a lot we could do that would be more creative than what we are doing in this country at present with \$18 billion or \$20 billion.

Mr. McClellan: Or with the \$30 billion in tax expenditures that were identified in the federal government's tax accounting audit that was done last year. They go hand in hand.

Hon. Mr. Norton: I think we will probably have a full discussion of day care a little later, so I won't go into that in depth at the moment.

Mr. McClellan: We will have to get all our troops in for that one.

Hon. Mr. Norton: I am sure you won't have any difficulty.

Mr. McClellan: Before we leave the issue of universal accident and illness insurance, I don't have the research capability to be able to sit down and look at the social assistance case load and understand how many of these recipients are in receipt of social assistance because of accident and illness or because of congenital defects. It would really be helpful in terms of trying to figure this step out if we could have that kind of breakdown—if it is available to your ministry or to your research staff.

Hon. Mr. Norton: I think we can at least get estimates; I am not sure whether we can get precise figures or not.

Mr. McClellan: I made some guesses, which I regard totally in the realm of speculation and I have tried to make that clear.

Hon. Mr. Norton: If I were unkind, I would say that is what you do very often.

Mr. McClellan: No; I always say so when I am doing it.

If you could provide the hard data, or as hard as you can get, it would be appreciated.

Hon. Mr. Norton: Perhaps I could comment on a few things that Mr. Blundy raised, with the same thing in mind; that maybe we will have a chance to discuss some of them more fully later on.

I didn't quite catch all the figures you were quoting to support the suggestion that the government's support of social services was weakening, Mr. Blundy. I hope someone else did because I would like an opportunity to respond to that more fully. I know I have had some specific data on that which probably would not concur with the information you have, but I will try to respond. Perhaps when we get into the first vote will be an appropriate time.

You made reference to the fact that the government of Ontario ranks ninth in comparison to other provinces in terms of its per capita expenditure in the area of social services. We have tried very hard to do those—

4:50 p.m.

Mr. McClellan: Do you disagree with that?

Hon. Mr. Norton: No. We have tried very hard to do solid comparisons so that we can evaluate our performance on those kinds of bases, not that they are the only criteria one would look at.

Mr. Sweeney: You are better than the Minis-

try of Colleges and Universities, which is in 10th place in Canada.

Hon. Mr. Norton: No, again that ignores the how many criteria the minister quoted to you in the House the other day, which takes into consideration a number of factors.

I know if you are in opposition it is convenient to ignore the fact that there are other criteria that have been established, not by this government, but by national bodies. It is very convenient to be selective. I am not denying that on one of those criteria, we may be 10th.

What I would like to point out though in the area of comparisons, in the area of social services, is that it is very difficult, because there are a wide range of variables that it is hard to pin down.

For example, if that figure is being quoted from the Metro social planning council report where I think they used some comparisons like that, that report, to the best of my knowledge at this point, did not take into consideration expenditures within government that may not be seen as part of the social expenditures budget. In other words, those expenditures within the social policy field that do impact upon assistance, for example, to low income families and so on.

I do not think it took into consideration the tax credit program in this province. If it did not do that, then I presume it also did not look at any comparable kinds of programs in other jurisdictions. The expenditures in tax credits to families in Ontario runs in the hundreds of millions of dollars annually. I am not sure of the precise figure—in excess of \$400 million.

If they have ignored a block of government expenditure which goes to low-income families and some medium-income families, and in some cases perhaps, especially if they are elderly, some of the people who have higher incomes, then they have ignored a very significant part of the expenditure that the people of this province collectively make in an effort to try to assist lower-income families.

On the basis of the analysis of it we have been able to do, it appears they have ignored that because it does not appear as part of the expenditure in my ministry or Health or any of the other social policy ministries, but it would appear under the expenditures in the Ministry of Revenue.

Mr. Carman: No, Treasury.

Hon. Mr. Norton: Treasury, administered by the Ministry of Revenue.

The other thing those kinds of comparisons, if they could be made validly, do not take into consideration is that some of the provinces, particularly some of the western provinces at the

moment, are attempting to put into place social capital, one might say, at an accelerated rate. They are putting into place social capital which we have long since established or began to establish in this province long before they were able to. Unless one were to separate out those kinds of expenditures, then it would be very difficult to make a valid comparison.

As one example, I might suggest if we look at percentage increases in specific areas, one could say that Alberta, this year, is having a much higher rate of increase in expenditure in day care, for example, than Ontario. But even looking at it—that is true on a percentage basis, and it is probably true in Manitoba as well, and in Quebec.

If you take Quebec, for example, even though they have dramatically increased their expenditures in the area of day care this year, for a province with a population of three quarters of the population of Ontario, their total expenditures in day care are going to be this year substantially less than half of what we are spending. Whatever parameters one looks at, it is hard to make a valid comparison.

It is true to say that Quebec has a greater rate of increase in expenditures in a given area than we have this year, but they also may be many years behind us in terms of catching up to the point that we have already achieved in this province.

When you start saying we rank ninth or 10th or fifth or whatever, if we want to get into that game, I could probably get some of our analysts in our ministry to come up with figures that say we are first in everything, and argue on some statistical basis that is just exactly where we are. Again, if one is trying to bolster an argument selectively, statistics may not lie, but they can be used to help bolster an argument if that is what one wants to use them for.

You raised some concern about the cost of reorganizing in the ministry. I can appreciate the concern you have there because there are days when I think since I came to the ministry I have been—this is no reflection upon the very competent staff we have, but I have often had the feeling that I have presided over a mound of shifting sand because we have been in a constant state of reorganization in the last several years.

Mr. Sweeney: Excuse me, Mr. Minister, I think my colleague referred to you reorganizing the reorganization.

Hon. Mr. Norton: No. Probably what he meant to say was the second phase of reorganization. We have not got into the third phase yet, but it is coming.

Mr. Sweeney: That is when you reorganize the reorganized organization.

Hon. Mr. Norton: I would be glad to prepare, or have the staff—

Mr. Sweeney: It sounds like a good book title.

Hon. Mr. Norton: I would be glad to have the staff come and give you a slide presentation on the various phases of reorganization, just so that you clearly understand.

Mr. Sweeney: If you give us the first set and the last set, we would probably be able to see that, because it would be very similar probably.

Hon. Mr. Norton: No, it is really quite different. Actually, that might not be a bad thing for the committee to consider.

Mr. Grande: Is it over a 30-year period?

Hon. Mr. Norton: No. We have made tremendous progress. I would be glad to do that if you would like me to pursue it.

Mr. Blundy: When do you think you will be organized?

Hon. Mr. Norton: We are organized at all times. It is just a question of whether we have achieved our next objective, you see.

But the one thing I want to assure you of is this, there has been no increased expenditure as a result of the reorganization. It was clear from the beginning that the reorganization that we had to do was to be done within existing allocations for the cost of administration. There has also been no increase in staff as a result of the reorganization.

I would be glad to have some of the senior staff who have been most directly involved in that to come and present you with more detailed figures and respond in detail to some of your questions.

I can understand that from your perspective it must seem—because every time you ask me a question I say, “We have a task force working on that right now.”

An hon. member: That is right.

Hon. Mr. Norton: It has been like trying to re-equip the Queen Mary while she is floating across the Atlantic, or to turn her around in mid stream.

It has not been an easy task, and there have been a lot of task forces and internal studies and external studies and evaluations done. But I think the results of that have been and continue to be very positive.

Sure, we have had our problems and we will continue to have our problems. I think there is probably no ministry in government—I do not just mean our government, but generally—that is as sensitive in terms of the services that it

provides as the social services ministry—or the human services ministry, as it is called in some cases.

There will always be those pressures that exist in areas where people perceive there to be a lack of service or feel that you are doing the wrong things. There are days when we agonize a great deal over some of those issues ourselves—many days.

I want to assure you, even though it has appeared, I am sure, like trying to pin jelly to the wall at times, the process has been productive and it has not cost additional money. I'm hoping it will, in the long run, result in much more effective administration.

5 p.m.

I think it is already beginning to show in some of those areas where we have managed to complete the decentralization process. And when we have completed the others, such as family benefits administration and so on, I think we'll see a significant improvement in the service and in the rate at which people are responded to, for example when they apply for family benefits.

I also think that when it is completed—and there's already significant evidence of this; when I travel around the province, I get what I might describe as gratuitous comments, in the sense that I don't invite them, from people who are working at the municipal level or in agencies out there who say how much better it is now that they have someone in the field who is in a position, where there has been a delegated authority, to make decisions. They can sit down and talk to them face to face, or they can pick up the telephone and phone the area office or the regional office of the ministry and get a response, and get a decision.

That's the kind of thing that we have been aiming at. I just hope when we're finished this, we don't have a new wave of centralization coming in, where everybody decides that we have to have not only a strong national government in this province, but strong provincial governments, and they start the reverse process.

Mr. Blundy: Heaven forbid.

Hon. Mr. Norton: Heaven forbid, yes.

Mr. Sweeney: Did you know Bette is going to axe technical schools and commercial schools?

Hon. Mr. Norton: Really?

Mr. Sweeney: She doesn't know it yet.

Hon. Mr. Norton: I'll get the information for you that you requested on the costs or breakdown of the elimination of what you referred to as discrimination within the family benefits legislation. These are 1979 figures, not current fig-

ures. When you quoted \$12 million, I didn't think it had ever been that little, and in fact, for 1979, the figures that we were using, the range was from \$19 million to \$23 million in terms of the estimates.

Now you did request information on how we arrived at those figures, and I think we can provide you with that from the analysts who produced them, and give you a breakdown.

Mr. Carman: We asked for that last year, whenever it was last year.

Mr. McClellan: Oh, did we?

Hon. Mr. Norton: One of my staff told me today I had a memory like a sieve, and at least now I know I've got some company.

Mr. McClellan: I don't deny that.

Hon. Mr. Norton: I'll get you a breakdown, and at least an explanation from the staff who did the analysis as to how they approached the analysis to arrive at those estimated figures.

You mentioned, and again perhaps we can go into this in greater detail later, the matter of crisis centres for battered wives or battered women. At the present time, through the hostel program, which I think is the program you were referring to and described as being in some instances inadequate, we're funding a number of such programs across the province.

We leave it to the municipalities to establish the per diem they believe is appropriate in their community. We will subsidize on per diem costs up to, I believe it's \$16.50 this year.

Is that correct, John?

Yes, \$16.50 a day is the maximum we will go to. In very few cases, municipalities have gone to that per diem. Others have funded at somewhat lower per diems. But we will cost-share on what per diems they agree to with the agency in the community, up to that level.

The counselling service that you indicated was lacking again is something we will cost-share in, separate from the per diem costs, if the municipality agrees with an agency to engage in that. This year, it went into effect, I think on July 1. I'm not sure whether I was able to announce it before the House rose or not. It might have been June 1.

We changed the cost-sharing for counselling services, for the purchase of service by a municipality where it purchases a counselling service from a counselling agency. In this case, it could be such a centre for battered women if they had someone on staff who could provide that.

Previously, any purchase of service of counselling services had been cost-shared at 50-50, the same as would have been the case if it had been an administrative staff person on the pay-

roll of the municipality, where their administrative costs are cost-shared at 50-50.

Mr. McClellan: That's 50-50, et cetera.

Hon. Mr. Norton: Yes. As of June 1 this year, that cost sharing for counselling services was changed to 80-20. Our hope had been that would free up significant amounts of money that the municipality had already committed for counselling services so that they could expand their counselling services.

Mr. Sweeney: Were there any changes this year in the centre itself, the \$16.50, as a percentage that is, not the figure?

Hon. Mr. Norton: No. It's always been 80-20 for the \$16.50 or whatever the per diem was. The change was in the area of the purchase of counselling service. It appears from some of the things I've heard that some municipalities perhaps have responded differently from others in the way they've dealt with that.

I met with some people from such an agency in Metropolitan Toronto not long ago and explained this to them. They said they hadn't heard that from the municipality. They then went back and checked with the municipality and were advised the municipality had no more money this year than it had before. Why they haven't—

Mr. McClellan: Godfrey again.

Hon. Mr. Norton: My God, you must think that man speaks at all levels. I must learn his technique. I have never mastered that.

Mr. Grande: He tells you what to do and you listen to him.

Hon. Mr. Norton: Oh yes, sure. Only when he has—

Mr. Sweeney: Wait until you get on the front page of the Toronto Star facing the skyline and you will know you're in. That's the symbol.

Hon. Mr. Norton: What is that the symbol of, having arrived?

Mr. McClellan: I had thought we had one less old chestnut to deal with this year because of the new cost-sharing arrangement, but if you are saying Metro is simply—

Hon. Mr. Norton: I cannot say generally at this point that Metro has done that. With respect to one particular agency, I know that was the response it got. My deputy says generally they have not been. It may have been—

Mr. McClellan: It was the agency. Is that what you're saying?

Hon. Mr. Norton: No, that wasn't the agency. You made some reference as well to our providing one-shot funding for some of these agencies and then leaving them high and dry.

Mr. Blundy: I am told that happened.

Hon. Mr. Norton: You see, I don't know of any time. I stand to be corrected.

Mr. Ramsay: Excuse me, is that Women in Crisis you are referring to?

Mr. Blundy: Crisis centres.

Mr. Ramsay: Their funding came through the Provincial Secretary for Justice (Mr. Walker).

Hon. Mr. Norton: Oh, you're speaking of the rape crisis centres.

Mr. Blundy: I thought it also applied to women's hostels.

Hon. Mr. Norton: We have never been involved, to the best of my knowledge, in any one-shot funding for these services. I thought when you first mentioned that, it might have been specific services that maybe got their start under one of the local employment assistance program or local incentives program grants or something like that, where in fact they were time limited. The federal grants under LEAP and LIP—

Mr. Blundy: Were none of your grants on that basis?

Hon. Mr. Norton: Not to agencies like this. The only time we have ever done that, that I know of, is when we have, through our research and demonstration funds in the ministry, established a pilot project for purposes of study and evaluation with a view to evaluating that approach, but we've never done that generally. Here comes Mr. Anderson. He may be going to correct me.

5:10 p.m.

Mr. Anderson: I think there was an exception in the case of Nellie's hostel. It is probably an agency you were referring to earlier. They had a crisis with regard to relocation and I think we provided a lump-sum grant for relocation on a one-shot basis.

Hon. Mr. Norton: I think that was not an operating but a capital grant to help them with some of their renovation costs, or whatever, and their relocation. In the area of rape crisis centres, for example, some funding was made available this year through the Provincial Secretariat for Justice to the provincial agency to assist with the cost of rape crisis centres.

I didn't think that was one-shot funding. I thought that was a grant to the umbrella agency which, in turn, would provide assistance to the local rape crisis centres. The allocation of those funds would be left to it as opposed to the justice policy secretary or his staff doing it. If anyone has information to the contrary I would be glad to hear it, but I don't think that was one-shot funding.

Mr. Blundy: I will check it out and see if that is what has been referred to.

Hon. Mr. Norton: In the case you referred to under children's mental health, that of Angela, the multihandicapped child, I have received fairly recently a letter from the parent, I believe, on that particular situation. We advised them that the Villa Nova—I believe that is the name of the home—is a Health-operated facility and we urged them to pursue that further with Health.

We also advised them—I don't know how recently the information got to them—that family support would be provided to them through Surrey Place Centre here in Toronto. I wouldn't expect they would be afforded a fully residential program but one that would assist them, at least in the interim. They could receive family support services from Surrey Place which, as you probably know, is close to Queen's Park here.

My deputy indicates that information was sent to them some two weeks ago. I don't know whether their circumstances have changed since then, but if you wish to check that out, I would be glad to—

Mr. Blundy: It is only a few weeks since I heard from them. I guess I can find out how they made out.

Hon. Mr. Norton: You also requested more information on the tracking system for children in the residential services and when we reach the children's services vote I would like to have Mike Ozerkevich describe for you what has been done there. The tracking system is now in place and he could describe for you in much more detail than I just how it is functioning.

Support orders and their enforcement: If anybody has any brilliant ideas as to how something can be done about those, I would be glad to hear about it.

Mr. Blundy: Why don't you ask Eaton's or The Bay?

Hon. Mr. Norton: Perhaps we could have Mr. Alfieri describe some of the things that have been attempted—including, in some instances, particularly difficult collections—and the possibility we have looked at of using a private collection agency.

We don't want you to think that we are turning it over to the Mafia or something like that, but some private agencies have, as I understand it, expressed an interest. They would attempt to track the individual and collect. There would be no charge to the ministry unless they collected something.

Mr. Blundy: There is no fee unless they are successful and then they get a private fee.

Hon. Mr. Norton: Perhaps Mr. Alfieri can describe in more detail what we have considered doing there.

Ultimately the problem, it seems to me, is that we have to find a way in this country of having some nationwide method of enforcing these orders because it becomes particularly difficult when the person leaves the jurisdiction. Even though one may find one has a reciprocal agreement with the other provinces, one still has to go through the process of having the order transferred to a court in the other province. In some cases, they will accept it. In some cases, they won't.

In my experience in my own constituency since I was elected to the Legislature I know of an individual whose spouse was in the military and she would just nicely catch up with him in one province and he would be transferred to another. We were after him in Saskatchewan and Newfoundland. Finally, in Newfoundland the commandant of the base where he was stationed said he wasn't going to enforce these things. I ended up writing to the Minister of National Defence.

Mr. Sweeney: It's fun, isn't it?

Hon. Mr. Norton: It's like playing touch tag. One just gets there and they seem to get transferred somewhere else.

Mr. Sweeney: It might interest you to know that a very extensive discussion took place in the select committee on constitutional reform this summer on that very issue. The general consensus, at least from our committee—and we touched bases with some of the legislators in other jurisdictions—was that we would simply accept each other's support payments and enforce them, unless the payment was of such a nature as to go completely contrary to the social contracts in that particular province. I cannot imagine that would happen in very many cases.

It is an issue on which legislators in five or six provinces we visited agreed we needed a comprehensive agreement to accept each other's decisions without going through the courts again.

The fact still remains—and I think this is one my colleague was bringing up—that even within our own province we're having a heck of a problem, so there are two parts to the issue.

Hon. Mr. Norton: A year or so ago in the House I expressed some concern and sort of shot off on this subject. It might have been in response to a question you asked at the time.

Mr. Sweeney: Something like \$63 million.

Hon. Mr. Norton: I don't think it's that high.

Mr. Blundy: Something like \$35 million or \$36 million are outstanding, I believe, now.

Hon. Mr. Norton: That sounds as if it is within reason. Some of those individuals probably are not in a position to pay. We have to accept that. There are others who are in positions where they could pay and are not paying.

I wasn't even aware of this when I made my comments—whenever it was, a year or so ago—but subsequently someone sent me a copy of, I think, the Michigan Law Review. It had a fairly lengthy article in it substantiating, it appeared, that in jurisdictions where judges were prepared to be very firm with people who defaulted wilfully—not people who simply didn't have the wherewithal to make the payments, but people who wilfully defaulted—where, in fact, they were prepared to put them in jail for a period of time, they rarely had to.

There is often hesitation over something like that and it's said, "If a person is in jail, he is not going to be able to make contributions to support his children." I said that with a fair degree of ignorance at the time and out of anger, because of the fact that people were abandoning their children and not maintaining their commitments when I felt in lots of cases they could.

Apparently, in those jurisdictions in the United States where they compared it, on a county-by-county basis in one state, in those counties where the judges had a well-established record of taking no nonsense and putting people in jail, it turned out they rarely had to once they had established that approach. The voluntary payments were higher and the rate of default tapered off very dramatically.

5:20 p.m.

It may sound harsh. I know I get nasty letters from judges because they think I am dumping on them when I say they ought to be prepared to be more severe. As you know, politicians cannot respond to judges; they can kick me, but I cannot kick back.

Mr. Sweeney: Just as long as you don't phone; that's all.

Hon. Mr. Norton: Maybe what I could do is write back and table the letter in the House, or something like that.

Mr. Blundy: It wouldn't be so bad if you just wrote them a nasty letter. It wouldn't be as if you were writing them to ask them to do something.

Hon. Mr. Norton: But, you know, we now have very strict guidelines on that. I could always communicate with them through the Attorney General (Mr. McMurtry); I guess that's the appropriate route.

Mr. McClellan: Conversely, the Attorney General could communicate with the judges and

with the law enforcement officers under his jurisdiction.

The major part of the problem is the fact that support orders are treated as a joke by both the judiciary and law enforcement agencies, right down the line. Its status is below that of parking tickets in terms of enforcement.

Hon. Mr. Norton: That's the sort of thing that gets the judiciary's back up.

Mr. McClellan: It happens to be true.

Hon. Mr. Norton: My deputy met with and spoke to the judges at their annual meeting this year. He said: "Thank God, you didn't go yourself. They'd have tarred and feathered you." They really are upset with me these days. I have received letters from several judges around the province expressing their concern.

I still think that if they were prepared to support and treat very seriously the fact of a parent being unwilling to support his children and his spouse or former spouse in a situation where he is capable of doing it, more people would understand that is the kind of conduct that our society is not willing to tolerate.

If some of them flee this society and go elsewhere—and I don't think they would do so in great numbers—my personal response would be, if that is the degree of responsibility that they feel towards their personal obligations, and if we are going to support their wives and children in any event, we would be better off without them around.

I believe you also wanted me to talk about the reduction of provincial benefits.

In her letter Mme Begin is saying that for those people who might be eligible for Canada Pension Plan benefits or any other form of federal benefit, we could pass that benefit through by allowing for an increase in their benefits. But I am not sure what she is recommending there.

Mr. Blundy: I think what she is talking about is that if she would raise it \$5 or \$6, and then you would raise your level of benefit to \$6, which wouldn't make you pay more but would permit them to get that amount, plus the amount they got before.

Mr. McClellan: We discussed this last year and that was the suggestion our party made to get around the problem. I thought you had acknowledged that there was no technical barrier to your doing that. There would be a question of priorities and budgeting, but I understood it was possible to raise the provincial social assistance by an amount equal to any federal increases.

Mr. Blundy: That's really what I would advocate.

Hon. Mr. Norton: What she doesn't explain in

her letter, as it was read, is that out of the total number of family benefits recipients—just taking family benefits as an example—we have at present about 115,000 families who are in receipt of benefits, and of those roughly about 12,000 are in receipt of some additional benefit from the federal government.

What the federal government could do, for example, is to pass an increase through the Canada Pension Plan or the other program and there would be one of two things. I don't think we could create a differential level of support. I don't think they would allow that, would they?

In spite of what she says, we are still required to deduct from the maximum benefits. If they were to pass through a \$5 or \$10 increase in the monthly Canada pension benefit, that would not only be passed through to the 12,000 or 13,000; it would also have to be passed through by a general rate increase for all 115,000 recipients.

Mr. Sweeney: Who are on disability?

Hon. Mr. Norton: Or whatever—on family benefits.

Mr. McClellan: You would have to raise them all.

Hon. Mr. Norton: That's right. We would not be able to avoid deducting it; we would still have to deduct it. But each time the federal government passed through an increase it would increase every recipient's benefit in the province at an unpredictable rate for us, and we simply couldn't budget for it. It is a very difficult situation.

The other alternative—if it were possible; and I must say I would not be inclined to advocate it—would be a differential rate, so that those people who receive benefits under the Canada Pension Plan, or whatever, would have higher monthly incomes than others in exactly the same circumstances.

The concept of the family benefits program or its counterparts in other provinces is to provide a guaranteed kind of minimum level of income. I don't think that the fact that one individual has been in the work force for a period of time and has become eligible for some benefit under Canada Pension Plan ought to place him and his children—perhaps I should put it the other way around to make it sound a little more charitable; it sounds a little harsh that way.

If someone has been disabled throughout his lifetime and may not have been able to participate in the work force, I don't think the benefits available to him ought to be less by virtue of his not being able to participate in the work force than it is for someone who is now disabled but had been able to work for a period of time, at

least long enough to be eligible for Canada pension benefits. I would not advocate creating two levels.

The other side of that is it is fine for Mme Begin to say, "When our government at the national level provides an increase, whether it be a result of indexing or whatever, to the 12,000 recipients at the provincial level, Norton could go after Miller and get a comparable increase across the board for the entire 115,000 recipients." The cost implications to the province are much greater than they are to the federal government under those circumstances.

Mr. Sweeney: You can go back to comments made by both opposition critics for the last I don't know how many years and the one point that has been made over and over again is that there is a necessity in some way to have annual or periodic increases that recognize those increasing costs these people have to bear.

One of the difficulties we have faced in this province is having certain groups of people go for fairly extensive periods of time before there is any recognition whatsoever of the increased costs that they have, particularly the group we are speaking of. They just don't have any other place to turn.

Surely there has got to be some way in terms of a negotiated agreement between the federal and provincial governments by which you can both recognize that need and co-ordinate your activities in facing that need.

Hon. Mr. Norton: Ideally what we ought to do, if it were possible, would be to have our economic adjustment in the benefits coincide. I think that is usually done in the month of January, is it not?

Mr. McClellan: We are talking about a form of indexing. If you express a concern that there be no discrimination against those who do not have an attachment to the work force, then you have to deal with the question of indexing, because that is what the dilemma is. People on Canada Pension Plan, which is a wage-related plan, have the benefit of a form of indexing.

5:30 p.m.

I have no doubt that the government will move towards indexing under the Workmen's Compensation Act once Weiler's report comes down; that has been in very pressing demand. Then we will be in the position of having all the wage-related programs indexed, and the residual programs, for people who do not have a labour force attachment, will not be indexed. The situation is going to be even worse, since you are going to have to move in this direction in

order to end that inequity that you have expressed concern about.

Hon. Mr. Norton: I am sure the debate over indexing will continue for some time. One might in fact see the federal government deindexing before one sees the provincial government indexing.

You can see what is happening in the present deficit situation of our national government. Comments have been made recently arising out of concern over this deficit situation. I don't know whether there was specific reference made by the International Monetary Fund, but certainly comments have been made by many economists to the effect that as long as the federal government continues with its indexing of a broad range of programs, there is almost no way they are going to get out of the mess that they are in.

I cannot predict what they are going to do, but there are two possibilities. They may reconsider the indexing approach, or they may radically reduce expenditures in some other areas which may well make the funding for social services across this country very vulnerable. I must say I look with very real trepidation to the next federal budget.

Mr. McClellan: We always do.

Hon. Mr. Norton: Yes, but I think the pressures that the Minister of Finance is dealing with at this point are very real. They are not just within the country; there are also international pressures at this point. There are pressures in terms of what is happening to our economy, and also pressures in terms of what is being brought to bear on the government as a result of the continued growth in the deficit in Canada.

Mr. Sweeney: Surely that would speak even more to the need of the two levels of government co-ordinating their recognition that all people on benefits programs, whether they have a work force background or not, have to have some upgrading in their income on some kind of a regular basis.

Hon. Mr. Norton: Yes. In the past there have been times when I personally believed that it went too long without adjustment. The most recent one was on May 1 of this year.

Mr. Sweeney: There had been a lapse of almost two years prior to that.

Hon. Mr. Norton: No, not in that case.

Mr. Carman: It was 15 months.

Hon. Mr. Norton: I can't tell you anything more than this at the moment, but I can say that the rates are under very active review at the moment. I am optimistic that I will be able to say something more concrete on that maybe even

before the estimates are over. I am not sure of the timing.

Mr. McClellan: If there was a willingness to look seriously at tax expenditures at the federal level, and for the provincial government to initiate the kind of thing that the federal government, at least, has done, which is to identify that \$35 billion worth of corporate welfare, then I think we could have a discussion about the irresponsible deficits that made some sense and start looking at appropriate ways of doing the paring. But I'm not prepared to engage in that argument if the social assistance or pension recipients are all we are going to look at.

Hon. Mr. Norton: I'm not advocating that. I just say that I have some—

Mr. McClellan: I share your apprehension about what direction you're going to go, at the federal level.

Hon. Mr. Norton: I know last summer, a year ago—no, two years ago; there was another government in there for a short time—and announcements were made of the reduction in some areas of federal expenditure at that time, the first things to go were some of the commitments that had been made on block funding; for example, an enrichment of funding for social services. I hope my apprehension is unfounded.

Mr. McClellan: There was just one point that I had raised—you may want to wait until we get to the first vote, but that was whether the ministry was prepared to initiate any kind of formal response to the social planning council Trends II report in the light of the fact that Metropolitan Toronto has initiated its own task force to pursue the recommendations at that point, and to start looking at the questions of need and priorities that document raised.

Hon. Mr. Norton: Is that the Suburbs in Transition report?

Mr. McClellan: That's right. Planning Agenda for the Eighties, Part Two: Metro's Suburbs in Transition.

My suggestion was that there needs to be some kind of formal mechanism set up at the provincial level. I suggested an interministerial task force, either under your chairmanship or jointly chaired between you and the Minister of Intergovernmental Affairs (Mr. Wells), so that there's something here that can respond to the work that's being done at the metropolitan level.

There are a whole series of very urgent problems that are identified. Day care—I spent some time talking about the distribution of day care across Metro within a context of shortage, and parts of the metropolitan area are doubly short.

There are a whole range of other kinds of services that are identified.

Is that something that has been discussed? Is that something the ministry is open to doing?

Hon. Mr. Norton: The process has already begun, and there are a number of ministries that are examining that report and preparing to respond. We have been hesitant to respond before Metro had an opportunity to deal with it, since it was a report prepared, I suppose, primarily related to Metropolitan Toronto. We didn't want to jump into the fray without, first of all, careful examination, but also waiting until Metro was in a position where it could also respond. But it's presently under way.

Mr. McClellan: I don't want to belabour the point, but I think there will come a time when Metro has worked out its own structure and its own planning agenda and its own set of priorities and the province will have to set up some kind of an implementation mechanism so that we can move ahead on some of these problems, before they become hopelessly insoluble. When you look at an area like Jane-Finch, sometimes you wonder whether we haven't already passed that point.

On vote 2901, ministry administration program:

Mr. Chairman: Is it the wish of the committee that we review this vote item by item, or do you want to take the vote as a whole?

Mr. McClellan: I suggest item by item, but I suppose we'll want somebody from the social assistance review board, or is Mr. Borczak here? Let's do it item by item.

Item 1 agreed to.

On item 2, financial services:

Mr. McClellan: If you'll bear with me. I'm my usual disorganized self.

How many contract positions are in the ministry main office at this point?

Mr. Carman: We'll find out.

Mr. Chairman: Perhaps we can get that for you.

Item 2 agreed to.

Item 3 agreed to.

5:40 p.m.

On item 4, personnel services:

Mr. Chairman: Shall item 4 carry?

Mr. McClellan: No. Again, I don't have my file.

This raises the question of the Civil Service Commission's decision—and I believe it is a decision, despite what Mr. Walker says—to deprofessionalize social work within the govern-

ment service. I wish I did have my file because I have a memorandum from Mr. Carman to the chairman of the Civil Service Commission expressing in very succinct language his concern about the Civil Service Commission's reclassification system.

I had the pleasure of being at a meeting of the Ontario Association of Professional Social Workers in London, and if you can believe it, there were in excess of 400 people at the meeting. I had never been at an OAPSW meeting that had more than six people at it. They were enormously concerned about what was happening to social work as a profession within the public service.

Mr. Walker changed his story four times during his presentation in the course of the afternoon. First he said it wasn't implemented, then he said it was implemented and then he gave a number of versions as to where it was.

I would like, first, an understanding from you as to what status the Civil Service Commission's new classification proposal has as you understand it, and whether your own personnel department is abiding by the implementation memorandum that the Civil Service Commission sent out earlier in the year, or whether it is, as one of Mr. Walker's versions had it, still at a discussion stage.

Mr. Chairman: Perhaps we could ask Mr. Carman if he would comment on that.

Mr. Blundy: Did Mr. Carman get any response to his letter?

Mr. McClellan: I didn't see the response. He was just commenting on how impressed he was with the distribution of his memorandum.

Mr. Carman: Mr. Chairman, the matter has not been finalized yet. There is a meeting of the deputy ministers within the social field with the chairman of the Civil Service Commission. That meeting is to take place, as I recall, about the end of this month.

What has happened is that a number of proposals and counterproposals have been exchanged between the Civil Service Commission and the ministries. I think clearly what has to be done is to have this meeting of deputy ministers to resolve the various points of view.

Our own personnel branch has worked extensively with the commission, as has the assistant deputy minister of finance and administration, Mr. Berg, to make them clearly aware of all our concerns regarding an appropriate treatment of our employees. I look forward to a solution that meets the needs of all employees—administrative employees, managerial employees and professional employees—but it remains to be resolved. Nothing is being implemented at the pres-

ent time. We are still in that discussion over the classification.

Mr. McClellan: One of the interesting things about the London meeting was that a number of employees, I assume of your ministry and I may be wrong on that—I am just going by recollection without my notes; they are in my car—but a number of people within the public service had expressed the concern that the decision was already being implemented by personnel managers.

The example was cited of a position which had traditionally been a social work position coming open and then being forbidden to advertise for an MSW.

What is the status of the thing within the Ministry of Community and Social Services? Is it possible for a branch of the ministry in which a social work position comes up to advertise in the newspapers for a social worker with social work credentials?

Mr. Carman: Between now and our next meeting, Mr. McClellan, I would like to explore completely with John Hunter the question of the way the advertising is being done at the present time. However, it is my understanding that what is being done is those positions are being advertised on the basis of a professional requirement—Master of Social Work—or equivalent in terms of experience and training.

There is that combination of credentials, on the one hand; but recognition, on the other hand, that there is an opportunity for people to attain that level through other means is a more balanced viewpoint than having either no credentials at all or a situation where only someone with an MSW could appropriately bid on a position.

It is my understanding that more open kind of competition, but with standards, would in future characterize positions which would be viewed as "professional."

Mr. McClellan: I think the best way to handle this is to wait until you have had a chance to review it with Mr. Hunter. Perhaps, in the process of reviewing it, you could obtain some samples of positions that have been advertised over the last two or three months, because concern was expressed at the London meeting that they were quite simply forbidden from asking for professional social workers for professional social work positions.

Mr. Carman: If that is the case it sounds as if someone was acting in advance of any specific instructions.

I would like to clarify that we are only discus-

sing the social work series, because there are a number of other, related series.

Mr. McClellan: I used that as an example because I have a vested interest.

Mr. Carman: It is the social work series, though, that is your prime concern and not vocational rehab counsellors or any other particular group, or the field workers.

Mr. McClellan: That's my principal concern. I make no bones about declaring my vested interest.

Mr. Sweeney: To what extent was the minister's statement of about a month and a half or two months ago about being overwhelmed with professionals just a strange coincidence, or does it mean more than that?

Hon. Mr. Norton: First of all, for the third time—

Mr. Watson: I was going to say it was the fourth.

Hon. Mr. Norton: The fourth, is it? The specific content of those headlines were not words uttered from my mouth. They were the creation, as far as I am aware—

Mr. Sweeney: I gather you have explained this before.

Hon. Mr. Norton: Yes.

Mr. Chairman: A number of times.

Hon. Mr. Norton: We have difficulty all being here at one time. Each time it comes up I explain that I did not utter those words.

Mr. Sweeney: I was just trying to tie the loose ends together.

Hon. Mr. Norton: I will respond to your concern. I am sure that some of the professional social workers in this province, if they have a tendency at all towards paranoia—

Mr. Sweeney: You said it.

Hon. Mr. Norton: —feel there is some conspiracy afoot.

Those headlines may have led to an interpretation of the content of that article in the *Globe and Mail* that seemed to be very hard on social workers. The timing of that coincided with their concern about the issue Mr. McClellan has raised.

This was followed shortly thereafter by a fairly highly publicized speech by Dr. Shamsie, a psychiatrist on the staff of Thistletown and in charge of the research program there, indicating that many of the approaches to therapy we have been using for a number of years with young children, not just in our ministry but generally in our society, seemed to be—I may be exaggerating, but I was going to say almost useless.

Those three things might well have caused people to say, "My God, what Norton was saying in that interview was obviously co-ordinated to be timed with all these other things. They are trying to give us a message."

In fact, I said what I said with no knowledge of what Dr. Shamsie was doing and limited knowledge of what the Civil Service Commission was up to. There is no relationship whatsoever other than coincidence.

5:50 p.m.

Item 4 agreed to.

Item 5 agreed to.

On item 6, information services:

Mr. McClellan: Does this include advertising campaigns?

Mr. Carman: No.

Mr. McClellan: Is that somewhere else?

Item 6 agreed to.

On item 7, analysis and planning:

Mr. McClellan: We still have a few minutes left. This is the item which includes the research and development grants which are referenced on pages 23 and 24 of the resource summary. The issue I want to raise is the fate of the three multiservice centres.

By way of brief background, these projects have been funded for a number of years. I am referring to York Community Services, Lambton Area Multiservice Project and North Frontenac Community Services. I am not familiar with the North Frontenac project but I am very familiar with both York Community Services and LAMP. I know how outstanding and successful those two projects have been. We have encouraged you in the past to be generous in your funding of them and you have responded and done that.

We now appear, as with all pilot projects, to be approaching something of a crunch. I am not clear what the state of the funding for the multiservice centres is at this time. I gather there is a deadline of some kind of November 30, 1980, by which time the Community and Social Services share of the budget of, I think, each of these three centres has to be reduced.

That is all well and good but we are talking about projects that have, as I understand it, at least five provincial participants: Community and Social Services; the Ministry of Culture and Recreation; the Ministry of Health; the Attorney General; and Education, together with a host of agencies at the municipal level and a number of voluntary sector participants, as well.

We have a complete absence of provincial policy around the place of multiservice centres

in the general scheme of things as to which ministry is the lead ministry responsible for funding them and who is responsible for the work of co-ordination.

My understanding is there isn't anybody anywhere who has this lead assignment in terms of developing policy and in terms of pulling all the other provincial participants together to work out a coherent funding strategy for these centres.

This was an item that was identified as a matter of urgent priority, just by way of passing, in the social planning council Trends II report. These are services that have proved their usefulness. I would like, first, a status report as to whether my understanding is correct that there is a crunch coming on November 30 and what the nature of that crunch is and, second, to know who is in charge.

As a government are we in a state of complete drift on this item? Is this something that Mr. Cornell can be expected to pick up and to assume some leadership around or not? Is this something that you intend to try to pull together yourself?

Hon. Mr. Norton: First, with respect to the November 30 date, it is, I believe, the date when there will be a decision made or alternatives set in place with respect to the projects in Sudbury and Waterloo, the social resource councils. I don't believe that date applies to the agencies you are referring to.

In the time we have left I would prefer it if we might pick up here next day so that we have time to deal with it more fully and to explain what the situation is at present in the approaches we hope to take with these agencies.

Mr. McClellan: Sure, good.

Mr. Chairman: I take it the committee doesn't pass this item.

Mr. McClellan: No, I would like to pursue this as well as a couple of other matters.

Mr. Chairman: All right.

I should remind the committee again that tomorrow we are dealing with Bill Pr31, An Act respecting Canadian School of Management; it has a high educational component.

The committee adjourned at 5:56 p.m.

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Anderson, J. G., Assistant Deputy Minister, Adult Services Division

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No. S-30

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Community and Social Services



Fourth Session, 31st Parliament

Monday, October 20, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

MONDAY, OCTOBER 20, 1980

The committee met at 3:39 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES

(continued)

On vote 2901, ministry administration program; item 7, analysis and planning:

Mr. Chairman: I call the committee to order.

Mr. McClellan: Before we resume with the line-by-line discussion, I have made a copy of the motion available to the chairman. Maybe I could make a copy available to each of the other two parties.

This is a motion I would like to move into the ministry, if I may, but I would like to move it tomorrow, with respect to the production of the operational reviews on children's aid societies.

Mr. Chairman: If you would like to move that, Mr. McClellan, we can stand it down until tomorrow. Is that your wish?

Mr. McClellan: Sure. Can Hansard take it as read if we give them a copy of it?

Mr. Chairman: We can append it if you wish.

Mr. McClellan moves that the social development committee request the Minister of Community and Social Services (Mr. Norton) to produce the following documents:

The final report of the operational review of the Norfolk children's aid society; the final report of the operational review of the Haldimand children's aid society; the final report of the operational review of the Essex Catholic children's aid society; the final report of the operational review of the Sudbury children's aid society; the final report of the operational review of the Timiskaming children's aid society; the final report of the operational review of the Kapuskasing children's aid society; the final report of the operational review of the Prince Edward children's aid society; the final report of the operational review of the Leeds-Grenville children's aid society; the final report of the operational review of the Peel children's aid society.

We will stand that motion down until tomorrow and pursue it then. I believe the minister has a response to a question posed by Mr. McClellan when we last met.

Hon. Mr. Norton: I was trying to remember what it was. It was five minutes to six or a few minutes to six, as I recall. He indicated he would pick up there today and I think it had to do with the questions you had asked relating to multiservice centres and the impending crunch that you foresaw in November.

I don't believe there is any impending crunch in November since our commitment to the multiservice centres ensures them of funding at the present level through to the end of this fiscal year. It might be there is some confusion with the date of November 30, the date by which we were to report back to Management Board of Cabinet on our plans for future funding and dealings with the multiservice centres.

With regard to future funding, I have met with each of the representatives of each of the boards of the multiservice centres and indicated that it was not our intention to pull out and leave them high and dry. What we have asked them to do during this year is to prepare input for us in the decision-making process on ways in which they could perhaps work with us towards the more equitable distribution of the administrative costs attached to their operations.

That is where it stands at the present time, but I have given them assurances that it is not our intention to pull out. We have suggested to them we feel some of the other ministries and agencies ought to be sharing more equitably in some of the administrative costs and it ought not to be solely the responsibility of our ministry, even though we have assumed what may be described as the lead ministry role in the dealings with the centres.

Mr. McClellan: That is basically my understanding of the situation. The difficulty is management board is saying that, as a condition of further funding, the percentage of administrative costs that Community and Social Services is currently picking up has to be reduced and, secondly, that that share of administrative cost which is reduced will then have to be picked up by any of a number of other actors in the game.

Surely you would agree that is an unfair burden to impose on the individual multiservice centres because, unless I misunderstand you, it strikes me they are now going to be running

around to the Ministry of the Attorney General, the Ministry of Health, the Minister of Education (Miss Stephenson), if she is involved, Metropolitan Toronto Social Services Department, the United Way, the federal government, the legal aid plan. That is all time and energy that comes out of the positioning and co-ordination of service. What I was trying to ask you to do was to assume a responsibility, as the lead ministry, for sorting out this problem here, at this end.

Hon. Mr. Norton: It was not my understanding that we were saying to them, "It is solely your responsibility to sort this out." We certainly are prepared to participate and are participating in that.

We were asking them for input in terms of what they perceived as ways we could approach it in the most equitable way of distributing those costs. It was not my expectation and, subject to being corrected by staff, it was not my understanding that we had said to them, "You have to sort this out." That was not the intention.

Mr. McClellan: We then have a commitment from you—I am not saying for the first time. Your understanding of your ministry's role is it will continue to be the lead ministry, you will provide staff assistance to the centres in helping them to work out the budget difficulties, the appropriate sharing of administrative costs between the various ministries.

Hon. Mr. Norton: My understanding is we would work that out jointly with them.

Mr. McClellan: Is there a deadline of any kind in having these questions answered?

Hon. Mr. Norton: Obviously, we want that sorted out by the end of the fiscal year so the funding for next year, we hope, could be on the basis of whatever the new formula is for distribution of those costs.

Mr. McClellan: To get back to the original question, who is responsible, within government, for the development of a coherent policy around funding multiservice centres? You surely cannot continue to do it on what amounts to an ad hoc basis.

Hon. Mr. Norton: No. I would agree, although I would think that in the foreseeable future it would be my intention that we would attempt to regularize it in this respect and to maintain the relationship with the existing multiservice centres. I do not foresee, in the near future, any expansion of multiservice centres.

Mr. McClellan: No?

Hon. Mr. Norton: No, not in the near future.

Mr. McClellan: You have seen the recom-

mendations in the Social Planning Council of Metropolitan Toronto Trends II report.

Hon. Mr. Norton: I am aware of them, yes.

Mr. McClellan: You have seen the recommendations in the youth services network report. I think they were talking about something in the order of 28 co-ordinated multiservice centres.

Hon. Mr. Norton: I am not familiar with those recommendations.

Mr. McClellan: I gather you are saying this is an area that has virtually no priority, aside from the demonstration projects that are currently under way.

Hon. Mr. Norton: Rather than saying they have no priority at all in terms of our planning I would say that I see there are other probably more pressing needs at the moment in terms of funding.

Mr. McClellan: What are those?

Hon. Mr. Norton: There are any number I could mention. I am sure some of them are on your list as well.

Mr. McClellan: If we could see some evidence that there was at least one or two growth sectors somewhere in the ministry.

Hon. Mr. Norton: One might suggest, for example, that if one were to increase the funding commitment, say in the area of multiservice centres, in the near future, one would have to make decisions as to whether that was a higher priority than, for example, day care or children's mental health.

Mr. McClellan: That is not a growth sector.

Hon. Mr. Norton: What do you mean?

Mr. McClellan: Neither of those are growth sectors. I mean you are zapping them to the tune of—

Hon. Mr. Norton: Day care clearly is one if you look at the funding increases that have occurred there. In spite of the perception in some quarters to the contrary it has to be recognized that is a priority.

Just to reassure you and those involved with the existing centres—and I have communicated this to them—it is not our intention to sort of pull out and leave them high and dry. There may be some changes in the funding arrangements.

3:50 p.m.

Mr. McClellan: That was communicated recently?

Hon. Mr. Norton: I thought it was communicated in the meeting I had with them several months ago. I am not sure of the date; it was maybe even last year, last fall or spring. I am not

sure exactly when it was, but I met with them at the—

Mr. R. F. Johnston: It sounds as though they need more reassurance.

Hon. Mr. Norton: We got together at the York Centre and had a meeting. Perhaps they didn't understand what I said at that time.

Mr. McClellan: I think that is the case. Maybe I could suggest that you communicate in writing with them again just setting out what it is that you want to see happen and who is responsible for doing that.

Hon. Mr. Norton: They certainly seemed to be relieved and so on after that meeting I had with them, and I thought they understood. It was a very pleasant meeting; they served lunch, and we had a marvellous time. They were all expressing concern about my health, as I recall. One of the women there, who was a nurse, advised me that I appeared to have a cold sweat on my nose and she thought it probably was a respiratory reaction because I was smoking too much or something like that, so I can remember the meeting very well.

Mr. McClellan: Out of concern for your well-being, they probably didn't tell you what they really thought.

Hon. Mr. Norton: That could be.

Mr. McClellan: That's all that I wanted, but while I still have it in my mind—I think Mr. Isaacs has an item that he wants to raise under this item—do we have any more information on the credentialism policy?

Mr. Carman: Yes, Mr. Chairman, I am prepared to report.

I think the Instant Hansard of October 14 was a fairly accurate reflection of what has happened in terms of the social work series. However, Mr. McClellan did also ask about the question of advertising.

I can find no evidence that any advertising has gone out in the province in which the MSW or equivalent has not been included in the ad. I have some samples here which I could share with the member, Mr. Chairman, and if there are cases that have gone out where professional qualifications have not been included, we would very much like to know about it.

I would be prepared to share these samples and our policy and we will follow up on any specific examples where the policy hasn't been followed.

Mr. McClellan: Again, just to recap—I don't have Instant Hansard here, so I don't want to try to recap.

Mr. Carman: Would you like to share a copy?

Mr. McClellan: The matter is still under review, if I understand it correctly.

Mr. Carman: That is correct.

Mr. McClellan: And personnel officers are not obliged to follow the directions of a memorandum sent to all personnel directors on March 3, 1980, from Mr. Waldrum, the chairman of the Civil Service Commission, which basically instructed them "to follow the intent of a credentialism policy in all classes with the exception of a list of bargaining unit and management classes which we will forward to you in early April." But I understand that social work was not on the exempt list.

Mr. Carman: Regardless of the instruction that is contained in that letter, we have handled it as if it were on an exempt list. I would have to follow up on the actual action that we took in reference to that letter from the chairman of the Civil Service Commission.

However, I would like to add that on Friday, September 26, staff of the commission held a meeting with the directors of the Ontario Association of Professional Social Workers and it is my understanding that much of the confusion that surrounded this issue was clarified with those directors at that time.

The main purpose of the meeting was to inform the representatives of the association that the study on social work was far from complete and that there would have to be further review and additional meetings before policy would be finalized. As I mentioned on October 14, the meeting with the deputy ministers of the social policy field will not take place until the end of this month or the first of next month.

Mr. McClellan: I have a letter from the executive director of the OAPSW dated October 10 in which he makes reference to the September 26 meeting. That was the same day that I was in London, together with the Minister of Correctional Services (Mr. Walker) and Mr. Peterson and about 450 irate members of the OAPSW, at which time the minister gave four different and consecutive versions of the status of the policy.

The letter from Malcolm Stewart, the executive director of the OAPSW, describes the meeting very briefly. He states, "The meeting confirmed that the commission's new policy on credentialism will make it possible for persons not qualified in social work to be hired for social work positions," et cetera. He goes on to talk about the second study but he does not, at least in this letter, indicate an impression was conveyed from the Civil Service Commission that the policy was either in abeyance or under review or not in effect.

I understand what you are saying and I understand what your position is. I think it is fair to say you share my concern. But I am not sure that the Civil Service Commission is on board—let me put it that way. So I hope you will continue, as I know you have, to put forward your perspective based on the needs of your ministry and the people you are serving, to the commission.

Mr. Carman: What I will undertake to do is to get back to the member for Bellwoods at the conclusion of our negotiations with the Civil Service Commission and advise just exactly what has been resolved, in early November sometime.

Mr. McClellan: I appreciate that.

Mr. Chairman: Mr. Isaacs, do you have a matter on item 7, analysis and planning?

Mr. Isaacs: Yes, I think I am on the right item, Mr. Chairman. As I am sure the minister can guess, it relates once again to my continuing concern about the Participation House situation in Hamilton and the ongoing dispute.

I want to say at the outset that I accept the minister's desire not to want to get involved in the free collective bargaining process, at least for the time being. If there are to be involvements in that process, they should certainly be elsewhere.

Mr. Chairman: I am just wondering, Mr. Isaacs—and help me if you can—I would presume that would come under a program item, rather than under this particular vote, would it not?

Mr. Isaacs: There are two programs involved in terms of the funding, but because the ministry is not really involved other than in general facilitation, and in view of the fact that the issue seems to be the ongoing study which is part of the ministry's planning for the way organizations such as Participation House are funded, I wonder whether the ministry's involvement of it might not fit here, rather than under the actual vote for the funds for Participation House. But I am certainly prepared to accept your judgement on it.

Mr. Chairman: You have convinced me. Carry on.

I am informed that it should really come under adult developmental services, but carry on if you wish to; you are not going to be long in any event, are you?

4 p.m.

Mr. Isaacs: I am not going to be long. If the minister thinks by waiting until that vote comes up he might have some additional information, I would be more than happy to wait until that day, Mr. Chairman.

Hon. Mr. Norton: He could proceed now, and if I do not have the information he wants at my fingertips, then I will see to it that I have it when we get to that vote, and we can come back then for the answer perhaps.

Mr. Isaacs: Thank you.

I do not think I am violating any confidences when I indicate that I have had a conversation with the chairman of Participation House. He has indicated to me, and I'm more than inclined to accept, that in its operating funds Participation House simply does not have any more money.

I cannot help but relate that back to the situation we had at the Hamilton and District Association for the Mentally Retarded earlier this year, when, in a sense, we were getting the same assurance. Yet after someone raised the question of whether indeed they had enough money, or whether they did not, all of a sudden they came upon a slush fund that was somehow fed into their operating funds and which enabled the dispute to be settled, which I thought was admirable. It was a pity the slush fund had not been found earlier.

I am wondering whether Participation House is likely to have a similar slush fund and, perhaps not being terribly tactful about it, whether it is possible to arrange for Participation House to have a similar slush fund, or indeed what might happen, particularly in view of the fact that some of the people I would describe as residents of Participation House although they are not living there at the moment are apparently being told by responsible people that the dispute is likely to continue at least until after Christmas. That strikes me as being terribly unfortunate, and something that absolutely everything possible should be done to avoid. Surely there is no need for that kind of dispute to drag on for four months.

If it is purely a labour dispute, and is indeed free collective bargaining because the Participation House board has the money to solve it, then, fine, it has to continue as a labour dispute. But if I am to accept what I am told, that they simply do not have the money, then I do not think it is in anybody's best interest to prolong this. I wonder whether there is not something that can be done to find a solution before Christmas.

Hon. Mr. Norton: I am guarded somewhat on what I would want to say on that particular issue, because of the fact that it is a matter that is still in dispute as between the two parties involved. At this point I cannot say that Participation House has what you have described as a slush fund.

I can say, I think, that Participation House is aware of the money that is available to it for the purposes of its continued operation. They have been treated in the same way as other funded agencies this year. If at some point we are able to address some of the budgetary concerns of the funded agencies—and I have intimated a number of times in the last several months that we were in the process of attempting to do that—it would still be a matter not for the ministry but for the agency to determine how any increased funding might be utilized.

I also cannot say at this point, because I do not know, what types of internal economies might be made by Participation House, as some other agencies have done, in order perhaps to increase their salary commitments somewhat—without, one would hope, sacrificing any quality of service—to try, if it is their decision under negotiation, to somewhat enrich their offer. If they can, then they have some flexibility there.

I would point out one has to bear in mind that in the free collective bargaining process there are two parties and sometimes settlement requires some concessions to be made on the part of both parties. I think when one looks at the offer and the position of the two parties in this dispute, they are still substantially apart. There may yet be some negotiating room before one despairs.

Mr. Isaacs: I hope that final analysis is correct. I am convinced there is negotiating room given that, to the best of my knowledge, neither party has moved from its original position.

In terms of the internal economies you spoke of—let me come back a moment. The reason I am concerned about this is I get the impression the two parties may not be on opposite sides of the bargaining table but may be moving around to the same side of the table, with yourself and your ministry on the other side. If that is happening, that is not free collective bargaining as I define it. There needs to be at least an indication that there is room for free collective bargaining to continue in a financial sense if a dispute such as this is to be settled.

Let me ask whether your staff makes itself available or, better yet, has made itself available to the management of the Participation Houses to assist in the financial analysis that would have to be undertaken before they moved on their offer.

Hon. Mr. Norton: At this point I do not know the extent to which it has. I know the staff has been in regular contact with the situation. As it relates to your question, I do not know the extent to which it has offered assistance in terms of the budget analysis review. Perhaps Mr. Ander-

son, who is the assistant deputy minister, could comment.

Mr. Anderson: Our staff has been involved only to the extent of determining the costs of the various presentations. We are aware of the financial position of Participation House with regard to the bargaining since we assess their finances in order to provide subsidies. I think we are aware of the position of Participation House and the terms of the presentation from the union. That is as far as we have been involved.

Mr. Isaacs: When you say "the terms of the presentation from the union," are you saying you have assisted them to cost the union's present request, rather than assisting them to determine whether they might advance their offer?

Mr. Anderson: No, we have only been involved in assessing the cost, both to Participation Houses and to the province in terms of the total request.

Mr. Isaacs: Given that, as the minister indicated, it seems there is still a great deal of room for negotiation and for movement on the part of one party, but more likely on the part of both parties, I wonder whether it is possible for the ministry to assist Participation House with a financial review of its situation to determine whether it is in a position to move from its latest offer.

Mr. Anderson: I do not think I could answer that.

Hon. Mr. Norton: We are getting into a difficult area of questioning. For example, if the staff did have any knowledge of what opportunity might exist for further movement, to indicate that might well prejudice any negotiations that are under way.

Mr. Isaacs: I appreciate that, but I hope you understand it has to be of some concern to us here to understand whether it is free collective bargaining, or whether the two parties are on the same side of the table with your ministry on the opposite side. If there could even be an assurance that, in your opinion, it is still a situation where free collective bargaining can apply, we may be able to let it rest and let the normal process take its course.

4:10 p.m.

Hon. Mr. Norton: It is, in the general sense. In view of the fact there is such a great gap between the two parties at the moment, they would have to take into consideration at any time in the free collective bargaining process that there is always the possibility the employer would be in a position where it simply could not meet a settlement it might agree to at a time during

negotiations. That is part of the strength that exists in the free collective bargaining process.

We have seen one situation, for example, in the Peace Bridge negotiations a year ago where I believe that occurred. I did not intervene in that case, as was suggested in the House.

Mr. McClellan: Your staff did.

Hon. Mr. Norton: No.

Mr. McClellan: I don't have my file here, but my recollection is that—

Hon. Mr. Norton: No. The only point at which there was any—

Mr. McClellan: —the ministry was fairly hard nosed about that situation.

Hon. Mr. Norton: As I recall, what happened was they settled for something which would have amounted to about 53 per cent over 18 months, something of that nature. Finally, they settled, but the money was not available. Whatever plans were necessary had to be made, which included our preparing for alternative accommodation for the residents who might be dislocated if they had to close down part of their operation.

In that instance, without our directing anyone to do anything, the parties went back to the bargaining table in an unofficial way and renegotiated the settlement, as I understand it.

Mr. McClellan: The point I am trying to make is the ministry is a participant in the collective bargaining process because it sets the parameters. It sets the upper limits on possible settlements. It is not present at the bargaining table, but it is there in reality because no board can negotiate a settlement beyond what the ministry is prepared to accept. The alternative is bankruptcy.

The problem is you are not sitting at the bargaining table despite the fact that, in many respects, you have more of a say over the outcome of the collective bargaining process than the members of the board who are actually dealing with the union representatives. That is the concern reflected in the questions Mr. Isaacs raised about the Participation Houses, in the questions Mr. Wildman raised with respect to the strike in Sault Ste. Marie and in the questions that I have been trying to raise with respect to a number of other labour disputes.

We are stuck with a structure of collective bargaining agencies and services, funded by your ministry, which simply can't work because you, as the ultimate controller of the purse strings, are not at the bargaining table participating in the negotiations. We have to find a way out of that impasse, otherwise we are going to have strike after strike with no clear means of resolu-

tion because ultimately you are the only people who can resolve it.

Hon. Mr. Norton: Your response, though, does not take into consideration the fact that some agencies—and I am not suggesting what I am saying is designed to force this agency into doing this—if they feel compelled, may seek some charitable funds. In fact, many do. They may also decide to look at the structures of the services they are providing to see if there are ways they can maintain the quality but reduce the costs attendant upon their present structures.

If you look at our role in this it is, in part, purchasing a service for those persons who need the service. I am trying to think of a reasonable example. I don't want to liken human services to consumer production but to use an example just to illustrate my point: If we had an Ontario shoe manufacturer who was competing with foreign imports, the Ontario consumer would not be at the bargaining table either in order to determine whether or not the settlement arrived at was going to put the cost of shoes in that particular case beyond the point of being competitive with the others available on the market.

I don't want you to extrapolate from that that I am saying these services are equivalent to shoes. I am just using it to illustrate that it is not our role to be at the bargaining table. The board is the employer. The board is the operator and provider of the service. We have indicated to it and other agencies across the province what we are able to afford this year by way of purchasing this service.

I believe they have some flexibility in the areas I have outlined. I do not know the precise dollar figure. I don't think it follows that because we happen to be, if you wish, the purchaser of the service for handicapped individuals, we are, therefore, a party at the bargaining table. It's true that what we have available may place some constraints on their flexibility. They may have to look at other ways to try to find that flexibility.

Mr. McClellan: If you continue on the course you are on, we are going to have a perpetual series of strikes in the human service sector. The reason is we are at a kind of halfway point. There was a time when all the services were totally voluntary and funded through charitable donations. I am not sure we are moving to a point where they are totally provincial, but they are somewhere in between at this point. Our collective bargaining structures have not taken into account that at least that first step has been taken.

Secondly, we are dealing with a labour force that by and large is grotesquely underpaid. Those

who work for associations of the mentally retarded are badly underpaid. That is a reality. In the case of children's aid societies, there are incredible discrepancies between societies located in relatively affluent communities, which had a high wage base when the 1965 act was brought into play, and those from less affluent communities, which were never able to make the basic financial catch-up for their staff.

You are occupying a kind of head-in-the-sand position right now. There seems to be a refusal to acknowledge there are some real structural problems and some real wage and equity problems. There is no way to resolve them short of a labour dispute, a strike and a work stoppage. You are saying, "The only way you can get these things solved is to go on strike." There must be a more rational way of dealing with these issues.

Hon. Mr. Norton: We have a funding relationship with something like 2,500 agencies. If one looks at the total picture across the province in percentage terms, the number of negotiations which have resulted in strikes is a small percentage.

Any strike in the area of human services is very unfortunate because it interrupts service to people who need it, but one cannot generalize from the experience of a few agencies to the extent of suggesting it has reached crisis proportions.

4:20 p.m.

I have indicated that we are working out a way to try to assist some of the agencies, but even if we were to have a major infusion of funds—I don't want to create the expectation of this as being immediately likely, but even if it were—we would still not have control over whether the board makes the decision to put that into increasing salaries or to enriching or expanding service. I do not think that the ministry ought to get into the role of directing the agencies across the province in terms of how they allocate funds. They are the employers—the controllers, if you wish—of the agency.

I agree with you that there are discrepancies that are unacceptable, and I am not suggesting that just because in some cases it has been on a percentage basis. The discrepancies are just unacceptable and over time are going to have to be redressed. But I don't want you to interpret from that that I think salaries necessarily ought to be uniform across the province. There has to be some more acceptable range, perhaps, within certain areas of service and I hope that over time the agencies and we can move in that direction.

Mr. McClellan: Do you think Kingston should be a high, medium or low wage area?

Hon. Mr. Norton: I haven't thought of it in those terms.

Mr. McClellan: I see.

Mr. Isaacs: I think that is exactly the kind of problem we get into when an agency has reached the level of 80 per cent ministry funding. If it were a much lower percentage, if there were still a major component of donations or of funding from some other source that the agency had the opportunity to go to, we might be in a different situation.

When you get to 80 per cent—if that is the right figure, as I guess it is—then any flexibility that the agency has in the current year to increase the 20 per cent that it is getting from other sources is so slight that it is almost totally dependent on the ministry funding. There just isn't the flexibility there.

You come to the point, if there isn't enough money then there isn't enough money. Even if the board were willing to shift from other priorities to the salary and wage area, that would have a seriously detrimental effect on the standard of care accorded to the people in the care of the agency. I don't think any of us wants that.

If the ministry found that was happening, you would be in there quickly saying something had to be done about it, and if that board needed more money, presumably it would get more money. But when it is on the salary side the appearance is that things really are getting down to the wire and that there isn't any room for free collective bargaining to proceed.

Just as your colleague, the Minister of Health (Mr. Timbrell), by doing studies and the like, helps hospitals to determine how they might better organize their spending of money and their operations, I hope your ministry will also help agencies decide how they may better organize their operations to effect the economies that will help them to spend the money they are getting in a better or wiser way.

I hope priority might be given to those agencies that are currently in the most difficult situation, which obviously includes the Participation Houses, and that a way might be found of getting that organization back in operation. Everybody supports it, nobody wants to see it shut down and yet it is shut down, and there isn't any understanding why—just the general impression that it simply can't operate on the money it gets.

As we asked last week in the House, I hope you will ask your staff to take a look at it to see if you cannot somehow help the board—if they are willing, as I sincerely hope they are—to find more money to deal with the problem that they are now facing.

Mr. Wildman: I want to deal with the question of policy planning in terms of the provision of services to francophones. Just before I do that, I have one question that my colleague from Sault Ste. Marie will also be interested in.

Can you give us some indication of your policy in terms of approval of budgets, how long it takes to approve budgets? I understand you had a meeting last week with officials of the Children's Aid Society of Sault Ste. Marie and District of Algoma to talk about that problem. I am informed that their 1979 budget has not yet been approved, much less the 1980 budget. They are almost through their fiscal year, which is the 1980 calendar year, and obviously they are already having to think about their 1981 budget. Do you have any policy on how long approval should take?

I realize the 1979 budget was under appeal, that there was a hearing and so on. But, really, how can any agency operate on this basis?

You yourself used the analogy of the private sector—a shoe factory, I believe—in answering my colleague about the question of strikes, negotiations and the parameters within which negotiation can take place. Can you give me some idea of how that analogy could work in this case? Without knowing what its budget is for the previous year, this year or any year, how on earth could a shoe factory determine where it is going to go in the future?

Hon. Mr. Norton: I personally did not have an opportunity to meet with the representatives of that board, but there was a meeting recently involving, I believe, Judge Thomson.

What you are asking really does not relate to policy. Some of the specific problems that arise at times do prolong the budget negotiation or budget settlement process. If you are asking what our policy is, our policy is to get the budgets resolved as early as possible in the fiscal year.

The agency to which you are referring is one which has experienced some considerable difficulty in the past year which distorted their budget considerably and resulted in some extraordinary costs in some areas. That has taken a long time to resolve.

But on your basic question, what is the policy: Each year we have been trying to improve on our performance in the area of budget negotiations, and I think we have generally. Last year, for example, there was an extraordinary number of appeals which resulted in delays going on much longer than we had expected. This year the number of appeals is much lower.

This year a policy was introduced with respect to children's aid societies and their budgets

in terms of providing all of the money at the beginning of the year, rather than continuing with the supplementary budget approach, and dealing directly, through special circumstances reviews, with those specific problems which societies experience in-year and which appear to be leading to deficits. That process has been working well.

In the case of your particular society there are still some problems that have to be resolved. I do not think the staff who have been involved in the direct negotiations with them are here to give you any more concrete indication of where it stands right now. But Algoma is an exceptional example, I think, even this year.

Mr. Wildman: I hope so.

Mr. McClellan: I am sorry, I may have missed it. Did you tell us how many societies did not have their 1979 budgets approved?

Hon. Mr. Norton: No, I did not.

Mr. McClellan: Do you know what the number is?

4:30 p.m.

Hon. Mr. Norton: I had better check on that.

Mr. McClellan: Before we get to the child welfare vote, perhaps you could give us that information and the number of societies that have not yet had their 1980 budgets approved.

Hon. Mr. Norton: Yes, we can do that. The staff are not here at the moment.

Mr. McClellan: Yes, I know.

Hon. Mr. Norton: By then they will be. I think this is the only one.

Mr. Wildman: If that could be followed up when we get to the children's services section—I am not sure I will be able to be here because my estimates are starting in the House. But what I wanted mainly—

Hon. Mr. Norton: What estimates are you defending this year?

Mr. Wildman: The Ministry of Northern Affairs. I am trying to defend the north against the government; that is my problem.

I wanted to raise the question of francophone services in all of its aspects with regard to this ministry and to ascertain what policy alternatives are being developed in this area.

Subsequent to the constitutional conference in Ottawa in September, when the Premier made the commitment to provide French-language services in parts of Ontario where numbers warrant, the minister announced that a \$400,000 fund would be allocated to provide for francophone services in northeastern Ontario. I wel-

comed that. However, I think this may get into the wider area of just what Premier Davis actually meant by that phrase, "where numbers warrant" and how that relates to the provision of services in this ministry.

Just today I received a letter from Monsieur Rejean Nadeau, who is the regional co-ordinator for francophone services in the northeast for the ministry, in which he said that the ministry would be carrying out a review of the needs of Algoma—specifically northern Algoma—with regard to a number of services provided by your ministry, to determine the number and location of francophone clients and families who are dealing with various social and community agencies in communities in Algoma. I welcome that.

That is in response to a request I made that this whole matter be reviewed. Prior to that Mr. Nadeau and the ministry were taking the position that the case load was not heavy enough in the various communities in Algoma to warrant the provision of funding for the hiring of bilingual personnel. As far as I am concerned, that is a bit of a catch 22. One of the reasons you do not have a very heavy case load from francophones is because you do not have anybody to talk to them.

I want to make it clear here that I am not being critical of any particular individual. The individual who handles the area that has the most concentrated francophone community in my riding will admit readily that he is not bilingual and that although he has some French he has some difficulty in dealing with the problems in that area. For that reason he may not get many referrals of people requesting his services. He himself raised the issue with the children's aid board. He stated that in his view there is a need for a bilingual worker to handle these kinds of cases in Algoma.

Specifically, I am very concerned that part of that \$400,000 fund you announced does not have any application to Algoma, and there is a significant number of francophones living there. I refer to Elliot Lake, which I think is close to 50 per cent French speaking, to Blind River which is about 25 per cent French speaking, to White River which has a significant and growing francophone community, to Wawa which is in the range of 20 per cent and to Dubreuilville, which is about 95 per cent French speaking with most of them unilingual.

What is the reason for determining that this program should not also apply to Algoma district? Is it based on population or is it based on case loads? As far as I am concerned, if it is based on case loads one gets into the catch-22 situation I was talking about.

Hon. Mr. Norton: I think you are incorrect in assuming the projects initiated by that \$400,000 commitment do not relate to Algoma. In fact, although the specific service is not located in your district, the proposal with respect to the children's mental health service operating out of the Sudbury Algoma Sanitorium was specifically intended to serve Algoma as well as other communities.

It is true that service will not be located in the Algoma district, although the specific model may well involve an outreach program, for want of a better expression, that will reach into the district, but it is clearly intended to serve your area.

As far as the existing generic services are concerned, it has never been our intention to suggest we should set up a duplication of service. Where there are services like child welfare already in place, it is our intention and certainly our hope with respect not only to our ministry but also to the agencies we fund which are providing services such as child welfare in the areas, that with their existing funding they will, for example, make certain they have appropriate staff to serve the communities for which they have responsibility. It is not our intention to say we will move in and set up a separate French-language service in child welfare, for example.

Mr. Wildman: I am not suggesting that, with respect.

Hon. Mr. Norton: The achievement of that may take a bit of time. We are, in some communities in the north, making significant progress in the area of provision of service to native peoples by having some of the generic agencies hire native workers to work on reservations, and so on. I think it is the same—

Mr. Wildman: The Children's Aid Society of Sault Ste. Marie and District of Algoma has recently done that too.

Hon. Mr. Norton: I certainly think it is incumbent upon them, with their mandate to serve the community, to make sure that as they hire staff they hire staff with a bilingual capacity so they can appropriately serve the community.

I agree entirely with the point you make that looking at case loads is not necessarily a good indicator. For example, a community that does not have someone who can provide psychiatric treatment for a child in the French language is not likely going to get many francophones coming for the service.

Mr. Wildman: That is right.

Hon. Mr. Norton: We have made significant progress in other parts of the north. Kapuskasing, for example, has recently opened a really

fine service, I think, for children and is serving primarily francophone children in that area.

This does not relate to matters of child welfare, but recently when I was in the north it was brought to my attention by some of our field staff that in one community—I am not sure I can name the community offhand—a francophone day care centre was opened in a community where the population is approximately 80 per cent francophone. In fact, the children who are in attendance at the day care centre are about 90 per cent anglophone.

4:40 p.m.

Mr. Wildman: The parents are all out learning French.

Hon. Mr. Norton: The parents are probably interested in the children learning French, but it may also reflect some differences in cultural attitudes and so on with respect to child rearing. I don't know. I don't think, though, if a child were in need of mental health service the same thing would apply. I presume if the service were available and the child were in need of it, the parents would not be hesitant in that case for cultural reasons.

Mr. Wildman: It is interesting you should raise that example because there have been a significant number of requests from the community of Dubreuilville for services of various types since then, one of which is psychiatric consultant services. I understand there is a bilingual psychiatrist in Sault Ste. Marie who is probably very busy just with his practice in Sault Ste. Marie.

I would be interested in getting a general statement, if that is possible, as to what this term "where numbers warrant" means to you as a minister of this government and what it means to your ministry.

You have said you agree that looking simply at case loads is probably not an adequate indicator. What does that term mean? Do you look at the language patterns of the population? How do you determine where numbers warrant?

Hon. Mr. Norton: I don't think there is any rigid formula.

Mr. R. F. Johnston: There is for education.

Hon. Mr. Norton: For example, if it were the provision of a children's mental health service one would have to find there was a large enough francophone population, not necessarily solely to sustain the service but at least to require its existence. If you had only two or three francophone families in a community it might not make any sense at all to provide that service. It might be unfortunate that, in individual cases, the child may have to go a greater distance. We would like to minimize that. There is no rigid formula.

In the communities you are speaking of, where there are 20 per cent and more of francophones, then surely they would be communities where at least the generic services that are available ought also to be available in the French language.

Mr. Wildman: I would certainly agree with that. As you may be aware, in terms of mental retardation services, if a young person is unilingually French in, say, Dubreuilville, the closest place he can get training in the French language is probably Sudbury and, if not Sudbury, probably Ottawa.

Maybe that is the way it is always going to be. Maybe it is not practical to do anything else but, considering your general policy on MR and on getting handicapped individuals back into the community and as close to their families and friends as possible, it is going in the opposite direction in terms of that kind of service.

Hon. Mr. Norton: Is there an MR association in Dubreuilville?

Mr. Wildman: No.

Hon. Mr. Norton: There isn't.

Mr. Wildman: I wonder if you have considered the proposal that has been made by myself, among others, that perhaps the thing to look at in terms of francophone services is not only what Mr. Nadeau is suggesting in relation to looking at all the various services provided by your ministry, to see if there can be some way of providing French-language services across the various divisions, but also to look at your ministry and other ministries that could perhaps use the service in terms of personnel and integrated services—I am thinking in terms of Correctional Services and perhaps Health as well—to see if there might be some way of sharing the time and services of a bilingual social worker who could provide services to the communities for all the ministries that might need someone to work in those communities, but where each individual community, ministry or agency could not afford or would not find it practical to hire a bilingual person.

Hon. Mr. Norton: With other ministries we are looking, not necessarily specifically along linguistic lines, at the possibility of a sort of multiminsty involvement in services in those areas of northern Ontario where, for geographic and population distribution reasons, it does not make sense for every ministry to maintain a single presence.

What you are suggesting may well be something that could tie in with that model. I guess the ministries most actively involved in the discussion at the moment would be Northern Affairs,

Housing, Health and ourselves. That kind of thing is possible.

There is one area where we do experience difficulty. You made reference to a psychiatrist who has some capacity to communicate in French—

Mr. Wildman: The individual I was referring to actually is Haitian, I believe.

Hon. Mr. Norton: We do have some difficulty in getting the required numbers of professionals, especially in highly specialized areas like psychiatry and so on. At the moment, I know that in Kapuskasing the centre I referred to earlier is still being served in terms of its psychiatric consultation by a psychiatrist, from Carleton University, I think, who commutes on a regular basis, sort of once a month for a two or three days at a time. He is hoping and they are hoping that by the end of his commitment, which goes on for some time yet, they will be able to attract someone to that community who can carry on the service he is providing at present.

Mr. Wildman: That is a major problem in terms of health specialists throughout—

Hon. Mr. Norton: Yes, and it doesn't only apply to French-language specialists. I have had discussions with representatives of the francophone communities in the north about that and I think there are proposals coming forward, not from us but from l'Association Canadienne-Francaise de l'Ontario, I believe, which are directed towards the whole question of training for francophone professionals in some of these areas that are at present difficult to visit.

At the moment, in the area of social work, I think the only master's degrees provided in French are either in Quebec or New Brunswick. Although in Ontario undergraduate work in social work is provided in French, I don't believe any of the schools provide a master's degree in French.

Mr. R. F. Johnston: Same problem as health.

Mr. Wildman: If you go this cross-disciplinary route, do you foresee any administrative problems in deciding which ministry is giving what service and which ministry should pay what amount towards the individual salary or the particular program? Do you foresee difficulties in determining who is getting the most benefit from the services and whether Health, for instance, or Community and Social Services, or the children's aid society or some other agency should be paying?

Hon. Mr. Norton: I don't think that should be a major problem. I hope those things will be worked out in advance rather than encountered after it is in operation.

Mr. Wildman: I certainly hope so. Do you have any idea when that kind of proposal might be coming on stream?

Hon. Mr. Norton: No, I can't give you a date. At present, the ministries are working on proposals which will then be brought forward for the appropriate policy approvals.

4:50 p.m.

Mr. Wildman: You do not anticipate any problems such as those you have run into with the Ministry of Health in regard to the Hornepayne residential care facility attached to the Hornepayne Community Hospital?

Hon. Mr. Norton: No, I didn't think there was a serious problem there.

Mr. Wildman: There is a serious problem, Mr. Minister. Consider the fact that the Algoma district health council and the Hornepayne hospital board of governors have both indicated that the facility needs to be replaced. As yet nobody can figure out who is going to pay what in terms of getting the thing replaced; and it is now more than a year and a half since it was recommended that the unit should be replaced with a permanent facility.

The Ministry of Health and your ministry both say, "Yes, it is a very good concept, one that should be developed for small communities in the north." Yet we still have a prefab facility and no one is coming across with the funds to make it a permanent one.

Hon. Mr. Norton: I say this without prejudice because I haven't been directly involved with this recently. My recollection is that our position was, simply, why not get on with the existing facility until such time as the capital moneys are available to replace the existing facility? Why sit and haggle over whether it's a new facility or whether it's a prefab? I haven't seen it, but I understand that it is serviceable, even as it is now.

Mr. Wildman: It is being used; I mean, it is going ahead.

Hon. Mr. Norton: I don't know what the problem is. I'm sure it would be nice to have a new facility, but we can't always have a new facility just when we want it.

Mr. Wildman: The problem is that it is probably costing them more for heat than it should cost. The facility itself is not well designed, but it is serviceable.

Hon. Mr. Norton: Maybe we could improve the insulation through the Canadian home insulation program.

Mr. Wildman: There has been some work done via that route by both the Ministry of

Health and the hospital board. I believe the Ministry of Health gave \$6,000 towards that kind of improvement. But, really, the facility could be providing a much better atmosphere. It could be better than it is now if the recommendations of the health council and the hospital board were followed through by the two ministries.

I wasn't trying to take a shot at you. I raised this matter because it seems that any time you get into shared programs, whether it is in terms of capital expenditures or salaries or whatever, there always is a possibility that you run into these administrative hangups about who is the more responsible for the program. These kinds of bureaucratic difficulties sometimes make a very worthwhile program less worthwhile than it might be.

Hon. Mr. Norton: There is no question that at times that very problem is a frustration for all of us, by which I mean my own situation as well as that of ministry staff. I certainly hope we can minimize those problems.

Mr. Carman: Mr. Chairman, perhaps I could make just one more comment on Mr. Wildman's question regarding the francophone services in the Algoma district. As a result of Judge Thomson's meeting last week with the Children's Aid Society of Sault Ste. Marie and the District of Algoma a decision has been made to go ahead with the analysis of francophone needs in the Algoma area.

Mr. Wildman: I think I mentioned that at the beginning.

Mr. Carman: I think the important part is that, as a result of that needs analysis, there will be an assessment among all the social service agencies in that area of where the service needs are and how best they can be met by some kind of joint action. I think that deals directly with the question that you raised.

Mr. Wildman: I welcome that. I think that's a step in the right direction.

Item 7 agreed to.

Items 8 to 10, inclusive, agreed to.

On item 11, Social Assistance Review Board:

Mr. McClellan: I am waiting for Mr. Borczak to join us at the table.

I can never remember why the Social Assistance Review Board is a year behind in its annual reports. Why is that?

Mr. Borczak: The annual report is at the printers. I had hoped we would have it by this date, but it is taking longer than we had expected. I am told that we can expect a printer's proof before the end of the week, so it shouldn't be much longer.

Mr. McClellan: Perhaps Mr. Borczak can help me by just giving me a few statistics from the 1979-80 report. I am principally interested in the number of appeals that have been heard against decisions that affect the rehabilitation services branch. Perhaps you have the information there on the total number of appeals under the rehab category—the number and percentage granted and the number and percentage denied.

Mr. Borczak: The member is referring to table three in our 1979-80 annual report. I believe each member here was given a copy a little while ago.

The figures for 1979-80 are shown on the lower half of table three. On the lefthand side under the Total Refusals column there were 49 learning-disability cases, which represented 73.1 per cent. There were 18 other rehab cases, for a total of 26.9 per cent. The grand total, for 100 per cent, is 67 rehab cases.

Moving across to the right, under the heading of Appeals Granted, again reading from top to bottom, for learning disability, 17 appeals were granted, for 34.7 per cent; all other cases amounted to four, for 22.2 per cent. There was a total of 21 cases all told, or 31.3 per cent.

Moving across to the next column, Appeals Denied: learning disabled, 30 cases, for a percentage of 61.2; all other rehab cases, 14, a percentage of 77.8; a total of 44, for 65.7 per cent.

Under the heading, Referred Back, the referrals under learning disability were two cases, or 4.1 per cent. There were no other cases referred back, so the grand total is two, for a total of three per cent. The figures in the righthand column, under Total, agree with those in the extreme lefthand column. They are the same set of figures.

Mr. McClellan: How do you account for the enormous variation between 1978-79 and 1979-80? In 1978-79, 60 per cent of the learning disability appeals were granted, as opposed to just better than half that percentage in the following year. Would you attribute that to what we in the opposition had perceived as a more stringent attitude on the part of the Social Assistance Review Board to learning disability cases?

Mr. Borczak: I think there are several things. First, you will see that the total number of learning disabled is down from 60 to 49. However, we had some 28 cases in which hearings had been completed in that year but had not been finalized.

We are finding now that, increasingly, on those cases where there is legal representation, the lawyers are becoming much more legalistic. We are running into adjournment after adjournment

in cases, and this is perhaps the main reason why we have fewer completed cases for the year.

5 p.m.

Second, although the ratio of appeals granted is lower than in the previous year, I do not think that represents a hardening of attitude on the part of the board. What is happening here is that the director now in most cases is represented by legal counsel, whereas he wasn't in previous years. He is also responding by providing the board with much more written evidence than he has been doing in the past.

As I mentioned, in most cases there is legal counsel representing the appellant. That legal counsel is bringing forward a very considerable amount of written evidence that is provided by witnesses and so on. I think you are seeing the effect of the response of the director to this legal activity.

Mr. McClellan: I will ask the minister. Is it the policy of the ministry to contest appeals with legal counsel on all cases before the board or just on learning-disability cases?

Hon. Mr. Norton: It is not a matter of policy on the part of the ministry. What has given rise to this is that the director, especially in learning-disabled cases, was being faced more and more with the fact that the appellant was represented by counsel. In many instances it resulted in a kind of presentation, as I understand it, and the director, not being trained as a lawyer, found it difficult to respond. So, as a matter of fairly regular practice now, if the appellant is represented by counsel, the director will request representation by counsel.

Mr. McClellan: Do you use ministry staff legal counsel?

Hon. Mr. Norton: We use the Attorney General's staff—primarily, I think, those attached to our ministry as part of our legal services branch.

Mr. Sweeney: Is the reverse true? If the appellant does not have a lawyer, the director does not have one?

Hon. Mr. Norton: I believe that is the case.

Mr. R. F. Johnston: No, it's not.

Hon. Mr. Norton: It's not? It may not always—

Mr. R. F. Johnston: I'm no lawyer, and I was there against one of your lawyers on the other side.

Hon. Mr. Norton: Formerly, it was certainly not the practice of the ministry to be represented by counsel. It is my understanding that the request from the director resulted from the fact that the appellants were, by and large, represented by counsel.

Mr. R. F. Johnston: How many of those 49 rehab cases this year were attended by lawyers?

Hon. Mr. Norton: I don't know whether I can answer that or not. Perhaps the board chairman could.

Mr. R. F. Johnston: It is something you run into from the other end—running into a legalistic defence by the ministry of a young man's learning-disability case. I didn't have legal counsel, but you sure did.

Interjection: Did you win the case?

Mr. R. F. Johnston: I lost the case.

Hon. Mr. Norton: There is a sheet that we can give you which indicates the percentage of cases that are represented by counsel.

Mr. McClellan: These are all appeals?

Hon. Mr. Norton: It covers all appeals. What I am not certain of is whether it breaks down under rehab. Does it draw a distinction as between the regular rehabilitation cases and the learning-disabled cases, Mr. Borczak?

Mr. Borczak: No, this one does not, but I have a further breakdown on that area. There is a table being distributed to you now. This table was prepared in response to a question put forward by Mr. Martel at the estimates last year. I had indicated at that time that we did not have this kind of a breakdown but would develop it for this year. We have done that and we will continue to have these figures.

If I may, Mr. Chairman, just let me go over this table. Across the top you will see that we have the breakdown of all cases. We then follow with the individual breakdown for the Family Benefits Act program, the General Welfare Assistance Act program and the rehabilitation services program.

Of the total number of hearings, of which there were 3,907 during the fiscal year ended March 31, 1980, you will see that 247 had legal counsel, the balance did not; and so on down when we go down through to FBA, GWA and rehab services.

In the case of rehab services, of the total of 74 cases that had been heard before the board, 29 cases had been represented by legal counsel and 45 had not.

Mr. McClellan: What period of time does this report cover?

Mr. Borczak: That is for the year ended March 31, 1980.

Mr. R. F. Johnston: This is specifically legal counsel, not just somebody acting on their behalf?

Mr. Borczak: No, this is legal counsel, including the people in the storefront lawyer offices and that sort of thing.

Mr. R. F. Johnston: But not members.

Mr. Borczak: But not members, no. These are all legal counsel.

Mr. McClellan: Those figures don't jibe. Is this to March 1980?

Mr. Borczak: That is correct.

Mr. McClellan: But the figure you gave us for the total number of— Oh, I see, that was the total number. Sorry, I understand.

To pursue that: If we turn to page 13 of the annual report, we have the number of appeals to the Supreme Court of Ontario. Can you give us the figures which would fit into the bottom end of the column of table 15 for the year 1979-80?

Mr. Borczak: This is table 15 and the extension is the year 1979-80. Total appeals opened was 15; appeals heard, six; appeals withdrawn, 10; total closed, 16; number pending, 12.

Mr. McClellan: Do you have a breakdown for each of the last two years, for 1978-79 and 1979-80? Do you have a breakdown of the number of appeals to the Supreme Court that involved vocational rehab services?

Mr. Borczak: I have the figures in total for the last two years which indicate, again, how many of those cases or persons who appealed to the divisional court were represented by legal counsel before the board. If they are of value to you, I will quote from this figure. They are the total, across the board. There are not very many altogether.

For instance, for the year 1978-79 there were a total of 14 cases that went before the divisional court. Of those, 12 had a lawyer during the hearing before the Social Assistance Review Board; two did not.

Of those who were represented by legal counsel, we had seven cases withdrawn, which left five cases heard by the divisional court. Four of those appeals were dismissed; one appeal was referred back.

Of the two cases which were not represented by legal counsel, one case was dismissed—that was the total—and one was withdrawn. This accounts for the 14 altogether.

Mr. McClellan: Are these appeals the ministry has taken to the court or anybody has taken there?

Mr. Borczak: No. These are anyone, including the ministry, taking appeals to the divisional court.

Mr. McClellan: Okay. Can we backtrack for a second?

Let's just deal with the Appeals Opened column. In 1978-79, of the 12 appeals-opened cases, how many were initiated by the ministry?

Mr. Borczak: I don't think any were. I think the only ones that were initiated by the ministry in the last two years were in 1979-80. There were two cases. If I remember correctly, there were none initiated by the ministry in 1978-79. I stand to be corrected.

Mr. McClellan: One, I assume, was the Mekler case.

Mr. Borczak: Yes.

Mr. McClellan: What was the other one?

Mr. Borczak: The other one was—it has slipped my mind. I'll come back to it. Oh, sorry, the Benness case was the second one.

5:10 p.m.

Mr. McClellan: What was the disposition of them? You lost them both, if I recall.

Mr. Borczak: They were both allowed.

Mr. McClellan: The ministry won.

This is a comment directed to the minister: I really find it extraordinary that you have managed even to exceed the adversarial relationships that characterize the Workmen's Compensation Board, particularly with respect to vocational rehabilitation services cases. I find it deplorable.

Maybe we will come back to that within the context of the special education bill and what this government's attitude really is towards children with learning disabilities.

There are a number of particular problems about the Social Assistance Review Board that I would like to deal with now.

Mr. Sweeney: Excuse me, Mr. McClellan, to come back to learning disabilities—

Mr. McClellan: I haven't left them, but go ahead.

Mr. Sweeney: Just one question: What was the connection, if any, between that high percentage of appeals denied and the Mekler case, the connection we were drawing to your attention this past spring?

Hon. Mr. Norton: I do not have the report you have in front of you. Are those 1978-79 figures?

Mr. Sweeney: The figures that were just given to us ended, I gather, in March 31, 1980. After that date we found out about the Mekler case and about a number of requests that were being denied.

Was there any direct connection between those as far as these figures are concerned, or will they show up later?

Mr. Borczak: I don't think so. They were adjusted back again. The minister issued his position in the Legislature. That meant the branch

immediately applied the policy statement the minister made. Any cases before us were put back—

Mr. McClellan: Maybe there was a deviation between what you were saying and what the ministry was doing. Obviously there was.

Hon. Mr. Norton: In fairness to the board chairman, I will explain in a moment.

Mr. Borczak: I don't believe there is any particular significance in that lower figure as far as the number of cases is concerned.

Mr. Sweeney: The reason I raised it, Mr. Minister, was it was brought to our attention that these connections appeared to begin in January and February before these figures were finalized. I am not sure how to read those into them. I gather from what the board chairman just said, had there been any changes they were adjusted later.

Mr. Borczak: They were adjusted before the finalization of these figures.

Hon. Mr. Norton: May I explain that?

Mr. Sweeney: I think you had better.

Hon. Mr. Norton: In fairness to the chairman of the board—and I am not sure how many individual cases this affected—when we became aware of the impact of the Mekler decision I perceived that it called for a policy interpretation by the ministry with regard to its impact on subsequent cases affecting children applying for assistance as learning disabled. All the chairman is saying is that the board, as it is mandated to do, interprets the application of the policy of the ministry to the cases before it.

In so far as my policy statement affected some cases that had previously been determined by the board, it, of its own initiative, I believe, reviewed those cases that might have been affected by the Mekler decision and dealt with them in the context of the policy statement I had made. I think the board was acting responsibly both before and after that policy statement in making its decisions in the light of what it perceived ministry policy to be.

Mr. Sweeney: Mr. Minister, I think at the time we appropriately pointed that out in the Legislature. If I understood the chairman correctly, he is telling me the 30 appeals denied in the 1979-80 figures do not contain any that might have been originally denied through interpretation of the Mekler case. That is what you are telling me. They were changed and the figures have subsequently been changed.

Mr. Borczak: At the time of the Mekler decision we had seven or eight cases that were going through the mill. The hearings had been held

and they were in various stages of finalizing the decisions.

When the Mekler decision was brought down by the divisional court and the minister made his statement in the House in response to the questions, we re-examined those cases and, in the light of the statements made in the House, we took a different tack. We then did not apply a rigid interpretation of the Mekler decision on those cases. Every one was adjusted back to, in effect, pre-Mekler days. This was done before we finalized them.

Mr. Sweeney: I understand what you are saying.

Mr. McClellan: The interesting thing in the process is it was the ministry that took the Mekler case to court in the first place. It wasn't until the issue was raised in the Legislature that we had a backtracking from the minister and a restoration—I am not sure restoration is the correct word to use, but at least the results of taking the Mekler case to court and getting that very destructive ruling, which was translated into policy and then was reversed once it was raised in the House, represented a significant backtracking on the part of the ministry.

I don't know whether the minister knew what was going on. I suspect probably not. I suspect you didn't know what was happening with respect to the litigation and the results of the Mekler decision, but I think there is a basically punitive atmosphere within the vocational rehabilitation services branch that has been there for a number of years and about which we have complained virtually every year in the estimates.

Hon. Mr. Norton: May I respond briefly to that? I don't view the interpretation I made, as a matter of policy, to be in any sense a backtracking from the position the ministry had previously taken.

I think one has to remember that Mr. Mekler was not applying in the normal course as a child in need of special education for a learning disability, although I believe he did apply for assistance for a learning disability.

I am not initially involved with the case or aware of the details specifically, but what I think was unanticipated was that the court in the course of making its decision in the Mekler case made some findings with respect to whether education—and this impacted upon the learning disabled—whether education had a clear career objective. The court found that it did not.

That was not our intention in appealing that case, and as a matter of policy—

5:20 p.m.

Mr. McClellan: May I stop you at that point? I am not a lawyer, but when I was reading the

documents on the Mekler case I came to the conclusion that what had happened was that the court had accepted the legal argument put forward by the ministry's counsel and that the ministry was arguing a narrow interpretation of the act in front of the court. What simply happened was that the court accepted what the ministry was arguing, so that you guys put forward that position in the first place, had it accepted by the court and then found yourselves caught out and backtracked.

Hon. Mr. Norton: It wasn't quite so machiavellian as that. I think it would probably be more easily explained by the counsel involved but, as I understand it, the counsel representing the ministry in that particular case was not one of the counsel normally attached to our ministry.

Mr. McClellan: A zealot, overzealous.

Hon. Mr. Norton: With respect to the specific arguments that were made, they may or may not—they certainly were not made with my prior knowledge, and I could not attest to the fact that they were even at the specific agreement of the ministry. But counsel acted as counsel does, I suppose, in cases like that and argued on the basis of the best argument he thought he could put forward. It was when we perceived the impact of the court's decision on the learning disabled and in view of the policy—

Mr. R. F. Johnston: You are saying there would be no direction from the ministry on how that kind of issue should be fought? Was there direction of counsel or that sort of thing, to get in there and win it at all costs?

Hon. Mr. Norton: No, that is not a fair allegation, either.

Mr. R. F. Johnston: That's how I interpret the case I had before the board and the way the ministry's counsel operated. I was wondering if it is just a natural extension.

Hon. Mr. Norton: No, and I can't comment on the specific arguments you might have heard because I don't know what you are referring to, but obviously, the client does not always determine the specific arguments that counsel chooses to use.

In this particular case, as soon as we perceived the impact on the learning disabled it was clear to me it was not consistent with the policy that my ministry was committed to following in this area. So I then made the interpretation as a matter of policy that for the purposes of this program in our ministry, education of the learning disabled was tied into achievement of a career goal.

Mr. McClellan: With respect, we are both

saying the same thing. I don't want to belabour the discussion, but I don't think what I said and what you said conflict in any respect whatsoever. Let me suggest to you—

Hon. Mr. Norton: Except perhaps imputed intent in your comments.

Mr. McClellan: I said I thought, and I still do think, that you did not know what was going on until after it had happened.

Hon. Mr. Norton: Obviously. Not every case that may be appealed is brought to my attention for approval.

Mr. McClellan: What I am saying to you is you have an obligation to make sure that if there is litigation going on against citizens by your ministry—and it seems to be an increasing practice—that you be informed with respect to the nature of that litigation and that you be damned sure the litigation does not conflict with government policy, because I think that is what happened in the Mekler case.

You had some eager beaver from the Attorney General's office who was out to make a mark without any reference to the kind of damage he was doing either to the individual or to the overall program. I think you have an obligation to make sure that kind of thing simply doesn't happen. That is why I am bringing it up again today. I think we have a resolution of that, but it shouldn't have happened in the first place.

Hon. Mr. Norton: No, I am sure that in any future potentially contentious issues like this, or on similar items that are being considered, I am sure I will be better informed than I was in that particular case. I wasn't consulted, nor perhaps ought I to have been in the eyes of the counsel for the ministry in that particular case.

Mr. McClellan: Every year there are concerns about the way the Social Assistance Review Board functions, and I want to go through them again. We don't seem to make much progress.

Why is it that an appellant is unable to see the documentation on file prior to an appeal, so that he can know precisely the nature of the case against him?

Mr. Borczak: Mr. Chairman, the legislation provides that the director of family benefits shall either make a report in writing to the board setting out his case, or that he may put his evidence before the board in person, or a combination of the two. In most cases, the director chooses to submit his report in writing to the board, and he always sends to the appellant a copy of the report he sends to the board.

Sometimes, with the delays in mail and so on, we've found that the report hasn't reached the appellant. We have it and the appellant may not

have received it. But the legislation requires that the appellant be made aware of the evidence that is going to be put before him and that requirement is met by a copy of the director's report going to the appellant.

The director has no other legal obligation in so far as any submission to the board of review is concerned. That is, he is not under an obligation to turn over his whole file to the board. He submits his report and that report is the basis on which the board makes its decision, together with whatever other evidence is put before the board by the appellant.

Mr. McClellan: Sure, but that's the whole point. If the issue of dispute is whether a person is permanently unemployable or disabled, and the evidence consists of medical reports, I understand that the medical documentation is, under no circumstances, made available to the appellant. Is that correct?

Mr. Borczak: That is correct, Mr. Chairman.

Mr. McClellan: That is substantially different than—I mean, it's really awful when you have to hold out the workmen's compensation appeal process as some kind of improvement. But it is possible for an injured worker's representative to review the medical evidence on file, for and against. Why is it not possible for an appellant, under the Social Assistance Review Board Act, to have all of the evidence made available either to the appellant or the appellant's representative?

Hon. Mr. Norton: I see Mr. Alfieri is back there; maybe he would like to come up and address this. I would just ask you one question while he's coming up.

Mr. McClellan: It is not fair to put that on the staff because that's a policy question.

Hon. Mr. Norton: Perhaps he could comment on the practice then, at this point, as opposed to the policy. Are you suggesting there ought to be something like a full pre-hearing discovery on both sides then? Is that what you are proposing?

Mr. McClellan: No. Why would I propose that?

Hon. Mr. Norton: Why would you not if you're talking about exchanging documentation, and exchanging the evidence that is going to be presented before the board?

Mr. McClellan: It is possible, when one is doing a WCB application, to go to the board and to review the file so that, as a worker's representative, you know precisely what it is that will be the basis of the decision. So you know whether it's adequate, or whether it's not, and whether there is additional information that could be

helpful in adjudicating the case, and what precisely that information should be.

In the case of the SARB, we have the director's report, but we don't have the evidence upon which the director based his report, so that you're hardly in a position to conduct a fair defence.

And that's on a relatively simple matter; Mr. Borczak used the example of an appeal against a decision of the director of income maintenance. What about a decision of the director of vocational rehabilitation services, where clearly most of the argument has to do with conflicting opinions between medical experts who have done assessments of the child? How is a person supposed to make a coherent defence against denial of vocational rehabilitation services if he doesn't know what was the medical evidence that resulted in the denial? And that's perhaps a closer analogy to the kind of situation we confront within the Workmen's Compensation Board.

5:30 p.m.

Hon. Mr. Norton: I still think, though, that the possibility of a sort of pre-hearing discovery, if you wish, of evidence may make some very good sense. Because as I understand it in some of these hearings—

Mr. McClellan: I don't think it needs to be as formal as that.

Hon. Mr. Norton: I'm not suggesting that it be as formal as, for example, a pre-trial hearing or a pre-trial discovery in court, but it is also true, as I understand it, especially in the kinds of cases like learning-disabled applications, that experts are sometimes called at the time of the hearing by the appellant, and that may not be within the prior knowledge of the director either. So what you're suggesting, if it's extended more broadly, may make some sense.

Mr. McClellan: But in each appeal, we are dealing with a denial decision. That decision was based on some kind of evidence. Surely it is a principle of natural justice that the appellant should have the right to see the evidence upon which the negative decision was based. What comes subsequently during the course of an appeal is a second question entirely.

Hon. Mr. Norton: If what we are really trying to do in this process is to minimize what you have described as sort of the litigious nature, then maybe the way to do that is to have some type of pre-hearing discovery. In some cases, where additional expert evidence is to be called that the director may not be aware of, he might be prepared to alter his decision before it goes to an appeal, and that is surely the purpose of pre-hearing or pre-trial discoveries in the court.

Mr. McClellan: I don't know, I'm not a lawyer. I don't know what the purpose of them is.

Hon. Mr. Norton: You talk like one, anyway.

Mr. McClellan: Maybe. But what I am saying, very simply, is that the appellant should have a right, as a matter of natural justice, to see the evidence upon which the negative decision was based, before the appeal takes place. I will just leave it at that, and ask you to think about that.

Because I think there is a real problem, that is subject I think to a certain amount of scandal, with respect to whether or not a person can really get a fair hearing before the SARB. When you don't know the basis of a decision, I don't know how you are expected to prepare a coherent appeal.

When the board makes its decision on the basis of "objective medical finding accepted by the medical advisory board," what does that mean? What is that? What is an objective medical finding accepted by the medical advisory board?

I don't know why everybody is trying to put Domenic Alfieri on the spot.

Mr. Borczak: Mr. Chairman, perhaps I can indicate to the members what happens at our point, and then I think it does shift to Domenic.

The medical advisory board is required to express an opinion to the director. In his report to the board, the director, in effect, sets out a copy of the statement made by the medical advisory board to him.

It is a relatively brief statement. It does not cite all of the medical evidence that has been before the board. It makes a concise statement of the medical conditions found from the reports of the examining physicians and it is that concise statement to the director which is incorporated by the director in his report to the board.

Mr. McClellan: All right. Now what if we have a case where, as very often happens in a workmen's compensation appeal, one specialist says yes, and the other specialist says no, so there is conflicting medical evidence of equal weight? What goes to the board, the medical advisory board's determination as to which piece of medical evidence will have precedence? Or is there some policy rule that would require, in a case where there is conflicting medical evidence of equal rate, that both or all pieces of evidence go to the SARB?

Mr. Alfieri: The report that goes to the Social Assistance Review Board, into which I incorporate the report from the medical advisory board, relates primarily to a synopsis of all the evidence which has gone before the medical advisory board.

The medical advisory board, in addition to reviewing that evidence, has the responsibility to accept evidence. I guess one could say that what goes in is primarily that evidence which it feels weighs in support of its recommendation. It does, however, at least in some of the reports I have read, tend to indicate all of the evidence. I can appreciate there is seldom conflicting evidence.

By and large, the evidence that we receive is provided either by the applicant's own physician or by hospital reports. They are requested subsequent to the receipt of the medical form.

Mr. McClellan: I would accept Mr. Alfieri's assertion that in cases before the director of income maintenance you probably do not get a lot of conflicting medical evidence, but you certainly do in vocational rehab cases. Mr. Johnston has a case with him that illustrates the problem.

There does not appear to be anything within your ministry equivalent to the Workmen's Compensation Board's principle of the benefit of the doubt. As far as you are concerned, that does not exist. Within the Workmen's Compensation Board, if the weight of the medical evidence is equal, or if the balance of probability rests with the injured worker, the policy of the benefit of the doubt will award the decision to the injured worker.

In your operation, the evidence is screened and sifted at an administrative level and, as far as the appeal process is concerned, any conflicting medical evidence does not even come to light, let alone be weighted according to some principle of benefit of the doubt.

I think that is a serious problem. You get cases dealing with vocational rehab in which the school board is there with its bevy of experts and they say the child has no learning disability. The family is there with somebody like Professor Morgan from Guelph and he says that, on the basis of his testing, the child does have a learning disability, this is precisely what it is and this is precisely what he means.

You are dealing with medical evidence of at least equal weight and yet the board is almost whimsical in the way it decides, in the case of equally balanced evidence, which one to choose. You might as well flip a coin. You might as well not go into the field in the first place.

Mr. R. F. Johnston: Even when you have more recent evidence, such as the the Watters case which I raised with you in the House, there had been early studies done of the child. One doctor had said he had a learning disability which would require special attention, although probably not the need to go to the United States, which was

the request being put forward. The Niagara South School Board said it was not necessary at all, that he was doing just fine, thank you very much.

The latest testing was done by Dr. Griff Morgan, prior to coming in. Some of the other evidence was a year and a half old; Dr. Griff Morgan came in.

Talking also about the legalese of it, let me tell you when I took over this case I took it over from Stephen Lewis because, when he went to the first meeting about it, a young legal zealot, Miss McIntosh, was there who started to raise all her arguments on points of procedure.

There was nothing to do with the child's welfare. There was nothing to do with the actual medical evidence. The whole darned thing was technicalities. Stephen and she got into this incredible fight, the whole thing collapsed and he felt if he went back he would prejudice the case.

When I went back, she was a little milder. I guess it was not as important to her to knock off me as it was to knock off Stephen Lewis in an argument. She brought forward the arguments of the board. I will read you a couple of the last statements before the decision was made against us.

5:40 p.m.

"Miss McIntosh argued that the remedies offered by Niagara South Board of Education are sufficient to the case and it has not, in any event, been established that the boy suffers from a specific learning disability, although he may be a slow learner."

Dr. Morgan's evidence is prior to that. He made a specific recommendation. I will see if I can find this earlier statement. Here it is: "This was in contrast to Dr. Morgan's testimony as he dealt at some length with his methods of testing and his conclusion that Geoffrey was in a bright, normal range of intelligence but, because of his learning disability, was not making appropriate academic process."

The kid also was 15 years of age going into grade seven or grade eight. Dr. Morgan also talked about the potential dangers to him in terms of his emotional stability if he was held back another year.

He made those arguments dramatically and they came after all the other stuff that was brought forward, all the other things. He is probably the most recognized name in the field in Ontario. The other names are people who were giving the basic information or members of the board of education who did not have the experience and had not done the same kind of testing.

It was a principal's evidence quoted that was weighty in this thing and the board overruled

Dr. Morgan. I was astonished when the decision came through.

I had initially thought it was the Mekler decision that was causing the problems. When I talked to Mr. Borczak it was at the stage when that was in flux. It took us 10 weeks to get the results of it rather than the six that was said. Even so, that was not the basis of it. They did not give benefit of the doubt. I was just amazed that was the case, that we would mess around with the kid's ability to make it in life.

The argument by the counsel was: "Well, what we are talking about is minimal improvement. Maybe all this boy, Geoffrey Watters, needs is to get grade nine and be streamed into the low stream of one, two and three. That is fine for him because he will have achieved something in life."

According to Dr. Morgan, this guy was a bright kid. This kid should have had greater expectations in life, but the legalistic approach this person was taking was really offensive to me. When I saw he was overruled, I thought: "My God, what are we doing? What are our priorities in this darned thing?"

I beg you to take that into consideration until or whenever Dr. Stephenson decides she is going to go along with the special ed bill and handle this under the Ministry of Education, and that we deal with kids like Geoffrey Watters who is now back in the system, who hopefully will go higher than grades nine and 10. If he does not, it lies on our heads and our system which has done this to that kid.

I do not understand it. When we are talking about 49 refused, what is that going to cost the government of Ontario? I do not know what the other cases were. I know what his case was, one of those 49 people.

He deserved the benefit of the doubt. It was not a cooked-up case. I cannot believe we do not bend over backwards and that our system of the Social Assistance Review Board does not bend over backwards for kids like that when there is good, recent medical evidence which contradicts that which says a kid does not have learning disabilities.

Hon. Mr. Norton: We probably all recognize learning disabilities is a fairly recent field of knowledge. It is one which I think still is fraught with great uncertainty, in terms of diagnosis. I do not envy the board at all in its difficult role in hearing conflicting evidence.

I could tell you of other cases. I will not mention names, but there was one case where the board ruled in favour of the individual child where the conflicting evidence was centred

around the diagnosis that it was a problem of moderate mental retardation.

There was also expert evidence called by the family. I do not know who it was. It might have been Dr. Morgan in that case but I do not know. It may have been any one of a number of people. That evidence said it was clearly a case of learning disability.

Some two years later I received a report from the school in the United States indicating it had to report there was nothing further it could do in their program for this child because it had, after two years, concluded the child suffered from moderate mental retardation and was not suffering from a learning disability.

You can cite cases where the board may, in your opinion—

Mr. R. F. Johnston: I would just argue that is money well spent to discover that. Why do we not bend over backwards? Why was it that—

Hon. Mr. Norton: Listen. Hold it. Let me finish my point for once. I am not saying whether it was money well spent or money badly spent. All I am saying is it is an area of knowledge which is uncertain. The fact one can get experts with quite conflicting diagnoses on almost every case is surely supportive of that.

All I am saying is that your quick response that it was money well spent is not the issue I am trying to address. I am saying it is difficult. Presumably then you would say the board should never review any of these. All children who apply should go because it would be money well spent.

Mr. R. F. Johnston: Benefit of the doubt; you said you had conflicting evidence. They took the evidence that said the kid had a learning disability and gave that kid a shot. Great. Find out later on that the other person who did the analysis happened to be correct. I am saying the benefit of the doubt was what was well spent.

What I ran into was legal counsel who sat there with no expertise in the field at all, arguing from past records of other people, who had an expert in front of her and argued one had to put aside this guy, put aside Dr. Griff Morgan, all the work he has done and the very thorough report that we had on hand, and go by what the Niagara South Board of Education and the principal of the school said. With that kind of conflicting thing, I think they should have bent over backwards.

Hon. Mr. Norton: The concept of benefit of the doubt does not simply mean that if there is conflicting evidence one goes in one direction. It does involve weighing the evidence before one. That is why there are such people as judges

in the courts and why there are such bodies as tribunals that review and hear the evidence and try to come to an equitable decision.

It is not always a clear-cut case. If one is sitting on each of those cases individually, it seems to me one is bound to find some of them more difficult to decide than others. One may decide, for example, that the individual does suffer from a learning disability, yet still accept the evidence that the board of education in the community in which that child lives can provide a program that is appropriate to his needs.

As I understand it, that is often the issue on which the decision turns—not necessarily whether the child has a learning disability but whether an appropriate program is available to the child within the province or within the board of education programs provided in his home community. It is not always a black and white case.

Benefit of the doubt should not be construed to mean if there is conflicting evidence one therefore automatically goes with the appellant. It does involve some weighing of the evidence and the difficult task that faces any tribunal, whether it is a judge in a court or a social assistance review board, of trying to weigh that evidence and come to a conclusion.

Mr. McClellan: You do not even have a policy of benefit of doubt in place, so it is hardly—

Hon. Mr. Norton: I do not know what test the courts apply when they review these as a case. I would suggest it is more like—

Mr. McClellan: We are not talking about courts.

Hon. Mr. Norton: No, but that is where you would find the decision as to what the appropriate test is. I suspect, in this kind of case, it is more likely to be balance of probability because in noncriminal cases that is normally the test that is applied.

Mr. McClellan: Yes, but the Workmen's Compensation Board's benefit of the doubt is not as narrow as the legal balance of probability.

Hon. Mr. Norton: On the contrary, I do not know what the compensation board's specific approach is but if they talk in terms of benefit of the doubt and balance of probabilities, really the balance of probabilities is a more flexible concept than benefit of the doubt, the preponderance of doubt.

5:50 p.m.

Mr. McClellan: You seem to be simply dismissing the idea of establishing, through policy, some criteria for the adjudication of particularly difficult cases. Our experience is that the SARB does these in a rather haphazard way.

We will simply have to continue, I suppose, with the same kind of battle we had to wage for five or six years with the Workmen's Compensation Board, until it finally put into place a benefit-of-the-doubt principle and at least began to apply it in some more generous way. It took five years of kicking and fighting before they were prepared to do that and it looks as though you are not even prepared to move to square one on it.

Hon. Mr. Norton: No, it may just be a question of the language which we are using, but again I would suggest to you that at least the traditional concept of the benefit of the doubt is a much more stringent test than balance of probability.

Aside from that, coming back to your original concern about the availability of medical evidence and so on, I think that is part of a broader issue that crosses the whole area of what information ought to be available to the patient of a doctor. I think, with respect, it applies in cases of hospital records and the records that are kept by a medical doctor in his office and so on. That probably is something that has to be resolved on a broader basis.

If you were to walk into a doctor's office and ask for a copy of your file, or into the hospital and ask for a copy of their file on you, if there were one there, the same concern about turning over the medical evidence presumably would exist.

Mr. McClellan: It is malpractice under the Health Disciplines Act for a doctor to refuse to make available the report of a medical investigation to a patient or the patient's representative.

Hon. Mr. Norton: I don't believe that is so. I don't think you are correct there.

Mr. McClellan: I suggest you inform yourself a little more thoroughly on some of these issues and perhaps have some discussion with—

Hon. Mr. Norton: I will check on that one today.

Mr. McClellan: There is not much point in pursuing it in the face of this kind of intransigence.

Let me just say to you, Mr. Chairman, that when the Krever commission reports and when the Weiler study reports, there will be greater changes in the practices of the Workmen's Compensation Board that are going to make the minister and this particular board look quite silly. There are still no transcripts available of SARB proceedings. There are still no clear, written responses from the board that set out the bases of board decisions with respect to the

evidence that formed the bases of those decisions.

As I say, clients or their representatives are not permitted to see their files in advance of the appeals, and increasingly the general sense is that the SARB structure violates a number of principles of natural justice. These are not new concerns, we are not raising them for the first time, but the minister seems content simply to say there are no problems, everything is okay, and we will continue with business as usual. I don't think that is a sustainable position. I don't want to pursue it any further.

Hon. Mr. Norton: I don't think I have ever said that either, that there are no problems in anything that any of us are doing, but it is incorrect to say there are no transcripts available. It is true that they are not universally available.

Mr. McClellan: When does a transcript become available? What are the circumstances in which a transcript can be obtained?

Hon. Mr. Norton: Perhaps the board chairman could indicate the criteria.

Mr. McClellan: There are no court reporters as a matter of routine at SARB hearings, is that correct?

Mr. Borczak: Not as a general rule, no.

Mr. McClellan: How does one obtain a transcript if there are no court reporters?

Mr. Borczak: The procedure of the board in respect to court reporters is that in certain kinds of cases a reporter is arranged for. In all of the cases of rehab services there is a reporter. In those cases that are being reopened, where there is provision in the legislation that a decision of the board can be reconsidered on the application of the appellant, we have a court reporter. So there are those special kinds of situations where there is a court reporter, and the service is provided to the board through a firm of chartered shorthand reporters.

We don't routinely obtain transcripts. We pay only the actual daily rate that is required. If there is an appeal to the divisional court, then we provide the transcripts; we are required to do so by law, so in that case we will obtain the transcripts. If the other party, presumably the appellant, wants to have a transcript in a case in which the board is not going to provide one because it is not appealed to the divisional court, the legislation provides that the transcripts may be obtained in the same manner as they are obtained in the Supreme Court of Ontario. Presumably that means simply a direct application to obtain a copy by the solicitor for the appellant to the chartered shorthand reporter.

Mr. McClellan: Just one other question. How many appeals have there been under the Health Insurance Act against chronic care co-payment decisions?

Mr. Borczak: In the fiscal year 1979-80, a total of 19.

Mr. McClellan: What was the disposition of those appeals?

Mr. Borczak: All cases were denied.

Mr. McClellan: Oh, isn't that a surprise.

Mr. R. F. Johnston: I was one of them.

Mr. McClellan: Has that information been communicated to the Minister of Health?

Hon. Mr. Norton: I don't know.

Mr. McClellan: Because whenever he is asked he says that he has never heard of a single problem about chronic care co-payments that hasn't been resolved. He has said that on a number of occasions in the Ontario Legislature. You have never bothered to enlighten him?

Hon. Mr. Norton: I hadn't heard the particular figures myself, until now. I would point out though that where there is a dispute or appeal and it is dealt with on appeal and the board makes a decision, that in itself is a kind of resolution. I don't know whether that is what the Minister of Health had in mind or not.

Mr. R. F. Johnston: There is no resolution on this sort of undertaking. There are no greys; at least I found there were no greys on this one, unlike the question of learning disabilities.

When you are going before the board with somebody who is over 65 years of age on whether or not there should be chronic care, there is absolutely no way you are going to win. As far as I can tell, it is black and white in terms of the cutoff, which is either \$15,000 if you are under 65, or 65 years of age, and that's that. You can't win.

It is not really an appeal in my view. Would you agree with that?

6 p.m.

Hon. Mr. Norton: I think that is an unfair question to ask the board chairman.

Mr. R. F. Johnston: I would like to know. Then we could stop the damned process of having appeals when you cannot win them, because I don't see how you could win that case when you have somebody who is over 65.

Mr. McClellan: Are all the appellants over 65?

Mr. Borczak: Most of them. Most of them are in the combination where one spouse may be under 65 and the other one over. So you are running into that; but they are not all. I cannot

give you a breakdown of how many were not; but most are.

Mr. McClellan: Maybe you could get that for us.

Mr. R. F. Johnston: Yes, I would really like to see that.

Mr. McClellan: Maybe you could share it with the Minister of Health.

Mr. R. F. Johnston: Absolutely.

Mr. Chairman: Mr. Sweeney, do you have one brief question?

Mr. Sweeney: Just one. Coming back to the point that the board chairman made a few minutes ago—I guess it's longer than that now—about the board changing its decisions once it senses that there is a change in policy of the ministry. Am I phrasing that correctly? I will be coming back to the Mekler case again. What I want to establish, if I can, is what is the relationship between the minister and the board.

Hon. Mr. Norton: May I answer that, Mr. Chairman?

Mr. Sweeney: Because that description was kind of a loose one.

Hon. Mr. Norton: I would say that, generally speaking, the relationship between the minister and the board, as opposed to the ministry and the board, is an arm's-length relationship. I try very studiously not in any way to interfere with the decisions of the board.

In the case of the Mekler decision, it was not, as you may be trying to imply, the fact that I somehow decided the board was wrong.

Mr. Sweeney: Oh, no, that wasn't—

Hon. Mr. Norton: I think what happened in that case was that there had been a decision of the court which I felt, by virtue of its impact upon the ministry, called for a policy decision on my part as it related to the interpretation of that case. The board then was free to apply the policy—in fact, as I understand their mandate—

Mr. Sweeney: That's a key word now. Are they really free?

Hon. Mr. Norton: I stand to be corrected by the board chairman if he disagrees with this. My understanding is that the board, in coming to its decisions, is to apply the policy of the ministry and the legislative mandate, if you wish, of the particular program under which the application is brought.

In that case, I made a policy interpretation of that decision. Had the board chosen not to follow that, then presumably that would ultimately have had to be determined in the courts—not because I had any authority to say to the chairman, "This is what you must do."

I view the board as essentially autonomous. Its relationship with me is simply that it reports through me to the Legislature. In fact, we are bound by its decisions, unless, in certain cases, we choose to appeal it to see if the court has another interpretation. But the decisions of the board are binding upon me and the ministry as it relates to the interpretation of our policy and our legislation.

Mr. Sweeney: Would it be accurate to say then that if the board is making decisions with which you, as the minister, have some difficulty, you are able through a policy statement to indirectly, if not directly, influence the decision of the board, as in the Mekler case?

Hon. Mr. Norton: In that case I relate it really to the interpretation of that decision of the court. I have never done that before. But I think things would have continued as they were if it were not for that decision of the court which, in my opinion, placed an interpretation upon the value of that education to the learning disabled individual that was not consistent with the intent of the ministry policy; therefore, I clarified it. Perhaps clarification is better than new policy. It was a matter of clarifying the policy. It is quite within the role of the minister to do that.

Mr. R. F. Johnston: You could disagree with the court; put out a statement on it—not specifically the Mekler case. But you could disagree with the court and the board would have to go along with you.

Hon. Mr. Norton: Yes. You see, it was not even so much a matter of disagreeing with the court. As I recall, the court made a general statement about the intent of vocational rehabilitation and the fact that an educational program that did not have, as its end objective, a specific vocational objective—this language is not necessarily the language of their decision—was, in fact, not part of the purpose of the vocational rehabilitation program as set out in the legislation.

That may be fine as it relates to somebody who is under the normal operation of that program and as it was originally intended; that elementary level education or, if somebody wanted to go and take one, an educational program in yoga may not have, as their clear end objectives, vocational objectives. But I was concerned that that interpretation was going to impact negatively.

In fact, I suspect that decision had to be inter-

preted as I interpreted it, by saying, in the cases of learning-disabled individuals, clearly education had a vocational objective at its end, because there was little opportunity for those people to pursue a vocation if they were not able, for example, to learn to read and write. That was basically all I did in that case.

Mr. Sweeney: I would also remind the minister that it was a court case in 1973 or 1974 that established that premise.

Hon. Mr. Norton: Which premise is that?

Mr. Sweeney: That education of elementary school children could be deemed to have a vocational end. It is the Brewin case.

Hon. Mr. Norton: I am not sure how they distinguished that.

Mr. Borczak: On a point in the Brewin case. It came down specifically to the fact that there was no prohibition on the basis of age in the act and the courts narrowed it down to that.

Mr. Sweeney: It was the 16-and-over business.

Mr. Borczak: That's right. The court decided that it could not be rejected on the basis of age. So it was really quite a narrow interpretation placed on the legislation.

Mr. Sweeney: It was about the compulsory school age.

Hon. Mr. Norton: Presumably, under the Mekler case one could find an 11-year-old could go into some kind of apprenticeship program but not an educational upgrading program.

Mr. Chairman: Shall item 11 carry?

Mr. R. F. Johnston: I would like to see some of the information on chronic care.

Mr. Chairman: We can see that you get the information, Mr. Johnston; there is no problem.

Mr. R. F. Johnston: I would like to talk to somebody afterwards, probably.

Mr. Chairman: I'm sure that could be arranged.

Mr. R. F. Johnston: Will the minister be here too?

Hon. Mr. Norton: I'll try to be here.

Item 11 agreed to.

Item 12 agreed to.

Vote 2901 agreed to.

Mr. Chairman: We will reconvene tomorrow after routine proceedings.

The committee adjourned at 6:08 p.m.

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Norton, Hon. K.; Minister of Community and Social Services (Kingston and the Islands PC)
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From the Ministry of Community and Social Services:

Alfieri, D., Director, Income Maintenance Branch
Anderson, J. G., Assistant Deputy Minister, Adult Services
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Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Community and Social Services



Fourth Session, 31st Parliament

Tuesday, October 21, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

TUESDAY, OCTOBER 21, 1980

The committee met at 3:46 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES

(continued)

Mr. Chairman: I call the committee to order. I think the first order of business is to deal with the motion Mr. McClellan filed yesterday.

Mr. McClellan: I wonder, before we get to the motion, if I could make a request of the minister in respect of the report in this morning's Globe and Mail about a case of child abuse involving a ward of the Children's Aid Society of the County of Essex. It is not unrelated to what we are doing in the motion.

I would like to ask the minister if he will make a full report to the social development committee before we come to the children's services vote in these estimates. Particularly, I ask him to deal with two concerns that I have out of what was reported this morning.

It appears to me that there have been two violations of the Child Welfare Act inasmuch as, first, the child abuse incident was not reported to the child abuse registry and, second, what is required to be confidential information has become public. I would like to know the circumstances with respect to these violations of the act.

Hon. Mr. Norton: I am not sure of the time frame you are referring to. You said, before we come to the children's services vote?

Mr. McClellan: Yes. I am guessing, but I assume that would be next week. I think that is sufficient time.

I understood from the newspaper article that an investigation is already taking place with respect to the safety of the child in question. I assume that would be part of the report as well, but I would like particular attention paid in your report to what appear to be major breaches of the Child Welfare Act. I hope that a week will be sufficient time for the ministry to determine what happened.

Hon. Mr. Norton: I will certainly undertake to attempt to do it within that time frame, yes. I myself am awaiting a more complete and de-

tailed report. When I receive that, I will be willing to discuss it with the committee.

Mr. Chairman: Mr. McClellan moved a motion yesterday for the production of certain documents with which the committee is familiar. Is there any discussion on that particular motion?

Mr. McClellan: Very briefly, I am requesting the final reports of the operational reviews for the children's aid societies listed in the motion. I have spoken on this point before and do not need to belabour it.

I do not feel that we can do our job as an estimates committee unless we have those operational reviews made available to us. Press reports have contained sections and portions of some of those operational reviews, and some of the press reports suggest that violations of the Child Welfare Act are taking place.

3:50 p.m.

I do not think we can be asked to approve an estimate in the order of \$118 million unless we can be assured that the requirements of the Child Welfare Act are being followed with absolute rigour. We didn't spend all those days, weeks and months rewriting the Child Welfare Act to be kept in the dark about whether or not the ministry intended to enforce the new provisions of that act, so I urge members of the committee to support the motion.

I have one operational review, that of the Family and Children's Service of Hastings County, which is clearly a Ministry of Community and Social Services document. It says, "The final report of the operational review of the children's aid society . . . for the Ministry of Community and Social Services."

Regardless of the nature of the agreement that was entered into between the ministry and each of the individual children's aid societies, I think that agreement was inappropriate. It is a ministry document. It is available to the ministry and it should be available to us as we pursue these estimates.

Mr. Blundy: Unfortunately I wasn't here yesterday, but I have been told about Mr. McClellan's motion and I now have a copy of it. I believe it is in the interests of this committee to

see these reports so as to know exactly what is being done, not only as far as it affects the Child Welfare Act, although that is very important. It is just that we should have some idea of what is going on.

Nothing in Ontario right now is causing more discussion among people who are interested in this field than the operations of children's aid societies. I believe that we should support the motion and I will vote in favour of it.

Mr. Chairman: Is there any further discussion?

Mr. Watson: Yes. I would like to get some more detail on what is involved with the agreements. If you are asking the government to break a confidence which they have created, I think your request is improper.

Mr. Kennedy: Somehow I missed the initial discussion of this. Is this a minister's report or a children's aid society report?

Mr. Chairman: Perhaps the minister would like to make some comments, Mr. Kennedy, and clarify exactly what is involved here.

Hon. Mr. Norton: First of all I would like to make it clear to the committee that I do not have any objection, nor does the staff of the ministry, to the principle of making this information available. However, there are some very real and practical problems with the way the resolution is worded.

The agreements were entered into with each of the societies which underwent or are undergoing an operational review. I was incorrect in my statement yesterday to the extent that I said the operational reviews were the property of the societies. In fact the agreement provides that they are the joint property of the ministry and the societies.

Also, in order to ensure the full co-operation of the society and their employees in the exercise, there is a provision in the agreement that the society and the ministry will agree to procedures for the release of information with respect to the review, which include procedures related to the manner, timing and type of information to be communicated respecting the final report. That may seem somewhat unusual to the members of the committee, but if I might, I would like to outline the nature of the exercise.

The operational review process was developed jointly between the staff of the ministry and the Ontario Association of Children's Aid Societies. The methodology was developed as a result of a thorough analysis of all types of reviews that are conducted of any incorporated agency. It was strongly felt by the ministry that in order for the review process to identify, clearly and

quickly, issue areas in children's aid societies, the process would have to combine some of the features of operational audits and management audits and, in addition, would have to build on the methodology of value-for-money audits.

The operational review process that was developed is directed towards discovering whether the management of a society has adequate systems in place to enable the society to implement the program and to inform management of variances from plans.

There are a number of significant differences between this type of review process and other established processes. The major difference is that the operational review, by its very nature, is issue related. The checklists which have been developed are problem focused. They are designed to identify quickly issue areas related specifically to program, management and finance. I would like to point out that because of their orientation, it is not unusual that they do, primarily and specifically, identify problem areas.

Every possible area of concern related to both the society and the ministry is addressed in the operational reviews. There is no question that in this type of review, as distinct from others, there is a heavy emphasis on areas of criticism. To say that this process has increased the likelihood of misunderstanding and criticism of the work done by children's aid societies is to state the obvious. A less obvious but equally valid point is that there may be no better indication that the child welfare system in this province is a healthy and vital one. The fact that there is a willingness on the part of societies to undergo such a critical type of review of all aspects of their operations is, in our opinion, a very positive development.

The second major difference of the operational review process is that the review team is composed of independent members. The review team is the author of the final report and, as such, controls the content of that report. The ministry has no authority to question or change the content or the analyses of the findings. It is because of that guaranteed principle that the ministry is able to attract to the review teams the type of professional personnel who participate.

The third major characteristic which makes the operational review process unique is that it embodies the concept of joint ownership on the part of the societies and the ministry. This is fundamental, I believe, to the integrity of the process and to the usefulness of the final report as a working document that can be used by the society and the ministry staff for further development.

In order to ensure that the operational reviews are carried out in the spirit of mutual co-

operation, the following principles are reflected in the organizational structure and in the methodology of the review process.

First of all there are no surprises. Information is shared with the children's aid societies throughout all phases of the reviews, including findings and recommendations. As I have mentioned, the operational review reports will be jointly owned by the ministry and the boards of the children's aid societies.

The second important principle has been confidentiality. This principle should apply to agency records, ministry records and review team records so as to respect the rights of all agency staff, ministry staff, review team members and, what is most important, those of clients and others providing information. This is done to ensure the protection of the individuals within the agencies.

The third principle is the organizational focus. The operational review should be concerned with organizational issues primarily, and not with affixing blame to specific individuals.

The fourth principle is objectivity. In order to ensure as much objectivity as possible, the independence of the review teams must be maintained, both in selecting team members and in the review process. The teams should be balanced in terms of interest, background and representation, with joint participation by the ministry and the agencies in the team selection.

4 p.m.

Based on those principles, the purposes of the operational reviews of children's aid societies can perhaps be summarized as follows: to assist the societies to strengthen all aspects of their operations, program, finance and management; to ensure accountability of the societies to the ministry and to the community; and to enable the ministry to develop policies and practices in relation to the societies to facilitate the development of child welfare services.

In the letter of understanding between the ministry and the societies with respect to the operational review, the society is given the option of releasing the full final report or a summary of the final report, or not releasing the final report as a public document. This option relates only to the final report and not to the preliminary or draft report. The latter report has no status at this stage, as the findings and the conclusions drawn by the review team had not been responded to by the society at the time.

Regardless of which of the above options is chosen by the society, the ministry has been stressing to the review teams that the reports should be balanced. Because of the very nature of the review process, which is issue related and

emphasizes verification and substantiation of critical findings, there has been a tendency in the past for the reports to appear unbalanced to some extent.

The type of critical self-analysis which culminates in a report that recommends changes in all aspects of the society's operation can give an extremely demoralizing and adverse public impression of a society, particularly when a society is not at the same time able to provide a similar review of the positive aspects of its work for public release.

As I mentioned above, this is one of the major reasons for encouraging review teams to provide more balanced reports. The concern to make all final reports public documents would discourage, in some instances, the integrity and the usefulness of the reports, which are dependent on clear and full identification of all problem areas and, in extreme cases, might encourage the development of two reports, one for public release and one for internal use.

The most critical component of the operational review process is the development of a work plan to implement the recommendations of the final report. The ministry strongly encourages all societies to release the final report publicly, once a detailed work plan has been developed by the society and the ministry's area office. It is important to note, I think, that the societies that have been reviewed to date have agreed to this procedure regarding public release of the final report.

It should also be pointed out that prior to public release of the final report in some of these cases a number of the recommendations directed toward the societies and the ministry have either already been implemented or are actively being worked on in the spirit of mutual co-operation.

In the ministry's view, the public release of the final operational review reports without the concurrence of the society might well place the process in jeopardy. The process that has been agreed upon, as I said before, is an indication that the child welfare system in Ontario has been and is engaged in a critical self-analysis, and is emerging into a healthier and stronger network of child welfare services as a result.

What concerns me about the resolution and the way that it is worded—I will reiterate that I am not opposed in principle to making these reports available—is that I am to do it unilaterally, without the consent or the agreement of the societies. I am opposed to that.

Generally there is an understanding that once a society has received the report, which in most cases is within a period of about three months,

they will prepare a work plan for implementation of the recommendations in the report in order to address the problems that have been identified. Four of the nine, I believe, have received final reports at the moment. They have agreed to the release of the report.

I would much prefer the committee at this point to ask me to seek the concurrence of the societies to the release of these reports or the tabling of them with the committee, or whatever the specific intention may be, as opposed to asking me to do it unilaterally. I would hope I could persuade the societies that the course of action requested would be in their best interests.

The one thing that may be a problem is the timing. It is understandable that a society which is contemplating the release of such a report would also want to time it with the release of their work plan to implement the recommendations. To force the release of the document or the final report before the society is in a position to respond and to indicate what its work plan is may well make it look less co-operative and embarrass it unnecessarily.

I would point out that of some 114 recommendations in the reports to date, over 90 have been implemented. I would not wish to see jeopardized a process which I think has been very co-operative. I would be willing to attempt to persuade the societies to concur in the release of those reports when they have completed their work plans.

Mr. Chairman: Mr. Ramsay moves that Mr. McClellan's motion be amended to read: That the standing committee on social development request the Minister of Community and Social Services to ask the permission of the listed children's aid societies to produce their final reports.

Any discussion on the amendment to the motion?

Mr. McClellan: I don't accept the amendment and I don't really accept the principle of what the minister is saying. This is a matter of considerable urgency and people in this province have a right to know, in their own communities, to what degree their children's aid societies are fulfilling their mandates under the Child Welfare Act.

I want to see these reports before we get to the debate on the children's services division. It is not new. It has been two years since the act was proclaimed, three years since we drafted it and four years since the government indicated its commitment to make reforms in the child welfare system of this province.

It is time for an accounting and this is the proper occasion. We have the information that

can be the basis of an accounting. It is absolutely essential to establish the principle that these documents are in the public domain. I don't accept the implication of the minister that the only way we can get an honest assessment is if the documents are kept secret.

Hon. Mr. Norton: I didn't say that, by the way, Mr. McClellan. I said I felt that for there to be co-operation, at least during the critical period, there ought to be maintenance of the undertakings that have been given.

I would go perhaps one step further and point out to you what I am concerned about in the area of co-operation. It seems to me a society is free. If it feels excessively threatened by change in the process which has, up to now, been co-operative, it may become less open in its co-operation with the review team.

4:10 p.m.

In fact, the review team may tailor the content of its report if it knows that, before the society has had an opportunity to respond and to outline its plan for implementation, it will be a public document. Human nature is such that I suspect the people on the review team, although the reports have been very candid and frank, may well filter or style the reports if they know this change is being forced upon the process.

The difference is between trying to accomplish the same ends with a co-operative approach or, if you like, a kid-glove approach throughout the process, or whether you seem or threaten to use a sledgehammer in terms of the kind of threat that appears to the society. We have had admirable co-operation from the children's aid societies, with the exception of perhaps one society, both throughout the review process and also in terms of the implementation.

Mr. McClellan: I won't say any more beyond this. That sounds to me as though you don't have any confidence that a review process can take place in the light of day. I don't believe that. I don't accept that and I think we have an obligation and you have an obligation to assure people that the Child Welfare Act is being rigorously enforced in each and every community throughout this province. It's my responsibility to participate in that process as a legislator and I can't do it if I don't have the documents. It is as simple as that.

Hon. Mr. Norton: What I am suggesting is that it is really a question of timing; that I would undertake to attempt to persuade these agencies to release the reports—not to deny them to you but to release them to you—in conjunction with their work plans for implementation. It is just a question of timing that we are differing on.

Mr. McClellan: Well, we are here now.

Mr. Turner: I think the minister's explanation makes eminent good sense and, obviously, if there is—and there is—a joint agreement between the two bodies, it is only common sense, if not common courtesy, to ask permission of the other party to make the document public. I don't have any difficulty with that.

The minister has clearly stated that, on the matter of principle, there is no objection. I think his concerns are quite valid as to the frankness and the validity of the reports or the responses that might be forthcoming. I have no hesitation in supporting the amendment and the minister's explanation and position.

Mr. Chairman: Any further comments? Are you ready for the question?

We will deal with the amendment posed by Mr. Ramsay first.

The thrust is that the motion be amended by inserting, "to ask the permission of the listed children's aid societies" after the word "services."

That simply means that we request the standing committee on social development to request the Minister of Community and Social Services to produce the various reports of the various children's aid societies listed after we have permission of the children's aid societies to release those documents. That is the intent of the amendment as I understand it.

Motion negatived.

Mr. Chairman: Now I shall put the question on the main motion.

Motion agreed to.

Hon. Mr. Norton: I don't know if it is appropriate to suggest this to the committee but I want to make it clear that I don't wish to defy the request of the committee—and it is worded as a request. What you are requesting me to do is to breach an agreement entered into with children's aid societies on the basis of which they have entered into a review process co-operatively with my ministry.

I have to take very seriously what credibility I may have with children's aid societies and other agencies in this province with which we have ongoing relationships if agreements that might be entered into to ensure such a process, and the word or undertakings of the ministry, are subject to being breached, albeit as a result of a request that is within the authority of this committee.

I wonder if it might be more appropriate if the committee were to report to the House to seek a Speaker's warrant because I can tell the committee that, while it is not in the spirit of defiance I say this, I do not take lightly the

breaching of any undertaking or agreement I or my ministry have given to any individual or agency within this province. Having to treat it that seriously, I suggest to the committee it is probably a situation that ought to be dealt with by way of a Speaker's warrant, if that is the intention of the committee.

Mr. McClellan: If the minister is saying categorically that he does not intend to abide by the wish of the committee, I will move a motion requesting the social development committee to report to the House and to request Mr. Speaker to issue his warrant to produce the following documents, as listed in the original motion.

Mr. O'Neil: Is the minister saying he won't produce that without a Speaker's warrant?

Hon. Mr. Norton: I frankly feel I can't by virtue of the agreements that have been entered into. I have offered alternatives to allow me the opportunity to attempt to persuade the societies. I think in a number of cases there would be no difficulty in getting that undertaking or agreement from them.

I can't assure you I could get them in all cases but I would be willing to try. However, if it is the committee's intention to press the matter, I think it is fair for me to say to you now that I consider my word to be important in terms of the relationships I maintain in my office, as long as I hold this office, and I really feel it is something that ought to be determined by the Legislature as a whole.

Mr. O'Neil: Mr. Chairman, I think Mr. McClellan mentioned that the problem comes from the fact we will be dealing with this in the next vote. Therefore, we would like to have a look at them.

Is there any chance of putting off the children's services division vote until closer to the end of the estimates so the minister can go out and see which ones will, and which will not allow us to have those copies? We may have to have this warrant for the balance that won't. I hope we won't be required to do that.

Mr. Chairman: The children's vote, Mr. O'Neil, is the last vote in the ministry and we will be dealing with it next week.

Mr. O'Neil: Does that give the minister time to get in touch with the different children's aid societies?

Hon. Mr. Norton: I haven't checked to see which—

4:20 p.m.

Mr. Sweeney: Mr. Chairman, while the minister is thinking, I would like to propose a parallel recommendation—that is, if the minister is will-

ing to go out and ask—that we set a time limit in terms of the committee itself, say, a week from today, or some other time limit that somebody else may suggest is more reasonable than that.

When the minister reports back to us and tells us whether or not he has been able to get agreement from the bodies listed here would be an appropriate time for us discuss whether or not we want to proceed with a Speaker's warrant. I most certainly say to the member who has just suggested a Speaker's warrant, at this particular point I could not support that resolution or that motion.

It would be common courtesy to provide the minister with a limited—and I stress limited—period of time to consult with the bodies listed here, particularly since less than a minute ago the minister said he believes that a number of them would comply. Let's find out whether they will or not. If they will not, then we shall have to review the situation at that time.

Quite frankly I don't know what I would do at that time, but at least I would want to have that information available before I made a decision.

Mr. McClellan: I am quite comfortable with that suggestion. My only interest is in getting the reports; I don't care how we get them. If we can leave it to the minister to pursue his suggestion and see where that leads us, I'll hold any motion with respect to a Speaker's warrant in abeyance until such time as the minister is able to report back to us.

Mr. Chairman: Fine. That seems to resolve the difficulty, at least for the time being. Perhaps we could indicate some sort of time frame in which this could be done. We will likely be starting to deal with the children's services division next Monday.

Mr. Turner: Just as a matter of interest, Mr. Chairman, the motion has been made and it has been passed.

Mr. Chairman: I presume from your remarks, Mr. McClellan, you are withdrawing your motion for the Speaker's warrant.

Mr. McClellan: That is correct.

Mr. Chairman: Does the minister have any time frame in which this can be done?

Hon. Mr. Norton: I would certainly try to report back to the committee within a week from today, which is Tuesday. I think that would be reasonable.

On vote 2902, adult services program:

Mr. Chairman: Is it the wish of the committee that we deal with this vote on adult services in its entirety or item by item?

Mr. McClellan: I don't mind doing it all at

once if it isn't too inconvenient for the ministry's staff. I don't want to tie up the entire ministry as we bounce back and forth.

Mr. Chairman: Is it acceptable that we take the entire vote? Does that pose a problem with the ministry?

Hon. Mr. Norton: No.

Mr. Chairman: Shall we take the entire vote? Mr. O'Neil?

Mr. O'Neil: I have some questions that I would like to ask of the minister and his staff about some basic criticisms I have received concerning the Prince Edward Heights facility for the mentally retarded in the town of Picton in Prince Edward county. These criticisms have come to me from staff and from a group that has just been formed and which calls itself the Prince Edward Heights Advocacy Organization.

I might say that Dr. Purificati has invited me to make a tour of this particular facility, although I have not done so up to this date. I would like to do so at some future date, but I have the feeling that if I were to go there, things might not appear as they do on a day-to-day basis. Also, I do not want to cause problems for the majority of the staff, who are very dedicated and first-class people.

However, I feel there are certainly some inadequacies and other problems at that particular institute that are possibly the result of understaffing from lack of sufficient funding. I imagine the ministry will have made certain inspections of this facility. I have certain feelings about the facility and I want to ask some questions on it.

I have a letter here, together with some minutes, from a Mrs. de Groot, who is part of this new organization that has been formed. One of the main concerns that were discussed in the minutes is the staff-resident ratio. I wonder if I could ask the minister's staff what the present numbers are at that institution.

Mr. Carman: About 400.

Mr. O'Neil: There are approximately 400 people there and they have how many staff?

Mr. Carman: About the same.

Mr. O'Neil: So it is a one-to-one ratio.

One of the main concerns they have expressed in this particular report—and this was also raised in a letter I received from one of the staff, who wished to remain anonymous—is in connection with the dispensing of drugs at the institution. The letter states, "The fashion in which drugs are dispensed leaves a greater than necessary margin for error."

Concern is also expressed regarding the confi-

dentiality of files, and they seem to feel there is a top-heavy administration structure. They complain there seems to be no real sign that last analysis, charting, recording, et cetera, are done. Charting, they were told, is only done occasionally. They also talk about programs and that there is no behaviour unit: "The psychology department offers behaviour modification suggestions to staff, but no residents were seen actively involved in such programs."

In connection with health care, they say there is no staff doctor and that the position of dentist is vacant; that "all female residents are on the pill and there is no concerted counselling concerning sexuality."

They mention that the cottages are in dreadful repair and that the contrast between the maintenance of the administration building and that of the cottages and wards was "disheartening."

These are a few of the points taken from the minutes of one of the meetings of the group I mentioned above.

As I said, I certainly don't want to reflect on present staff because I feel they are trying to do as good a job as they possibly can, but it is my concern that there may possibly be a case of underfunding and understaffing in some of these areas, particularly the medical section.

There is a general concern among the staff that these people are "put there;" that they are clothed and fed and given a place to live, but nothing is being done in the area of actual programs and something to give these people an interest in life. There is possibly a real weakness in their program.

I would appreciate comments from the minister and staff and suggestions for corrective measures to be taken.

Mr. Carman: I would like to start by giving the member the actual figures for Prince Edward Heights at Picton.

There are 356 provincially rated beds and the present adult population is 347. There are 16 residents who are in "approved homes," which means that they are in the general vicinity of the facility, so there are 363 residents altogether in that facility.

I don't have the actual staffing figure with me. Dr. Farmer will be here shortly and he will probably bring it with him. But, provincially, we are on about a one-to-one ratio.

4:30 p.m.

Dr. Farmer has been reallocating staff among all the facilities to have a similar staffing ratio, or an appropriate level of direct care staff, in all of the facilities. So, any inequities that might

have existed in the past throughout the facility system are being addressed this year.

As a result of transfers of residents from some of the larger facilities to the community, there has been a small imbalance of staff developing in some of the larger facilities. Some transfer of salary and wage dollars is taking place to overcome this inequity. According to my recollection, I don't think Prince Edward Heights had a significant shortfall of staff. But to the extent that there might have been one, that will be remedied in the course of this fiscal year.

I would like to deal specifically with the question of programming because all facilities do have both an individual program plan, or IPP, and an individual treatment plan, or ITP, for every resident. I have visited Prince Edward Heights and I am aware that they have quite an active program.

I have visited the the main complex. I have watched the kind of activation programs they use with the residents in the main building, some of whom are in the severe and profoundly retarded range, and I have also participated in the kinds of programming that they are offering in the cottage area, both for sensory handicapped residents and for the regular residents there. It is as extensive an individual programming as any of those that the schedule I facilities would have in the province.

Clearly it would always be possible to do more. If one had unlimited resources, one could design programs to take up more and more of the resident's day. But there is extensive programming going on at Prince Edward Heights and the staff are well trained and involved in both IPP and ITP plans.

It is true that a number of our facilities do not have a behaviour modification unit per se; that is a relatively recent innovation in some facilities. A number of them do not have that kind of unit at all. The approach taken by the division is to have the professional staff trained in behavioural management approaches.

There is an approved ministry policy on behaviour management and it was circulated to all facilities about two years ago, I believe. The behaviour management program is part of the IPP-ITP and would be integrated as part of that.

The regular staff of psychiatrists, psychologists and psychometrists would be familiar with the principles of behaviour management, and it is expected that they would be using that in the regular programming of the facility. To the extent that it is not being used in the facility, it would be a matter of ensuring that it is developed. I will definitely look into that aspect of it to determine

why there may be any deficiency in its application at the present time.

I can't give you the details on there being no staff doctor or dentist—Dr. Farmer should be here shortly—except to say that we have been moving to the purchase of medical services in the community for a number of facilities. That is being done right across the province, so it could very well be that we have reached the stage at Prince Edward Heights where all the services are purchased from Picton or the surrounding area.

Mr. O'Neil: A comment was made by a staff member that there was a doctor once a month for some patients, which is a concern when you are talking about that many people in an institution such as that. I think if medical services are going to be purchased in the community it should be done on a more regular basis.

Further, the drug issue has been raised with me several times by a couple of staff members. This particular instance was mentioned in these minutes which I just received last week. I think there also has to be a concern, just as we have in some of our nursing homes, that drugs are perhaps used too extensively to sedate. It is always my worry that in an institution like this drugs may be given out too readily when there may be a safer alternative. I offer this comment as constructive criticism.

You mentioned that you have toured the facilities. As I said earlier, one gets the impression that they are certainly going to put on a good show for you when you make a tour. I am not trying to deprecate the institution because I think in many ways they do an excellent job. I wonder, however, if there are not some internal reports within your ministry which indicate that you are not totally satisfied with the state of affairs there—whether the problem is one of staffing or facilities, there needs to be more money spent there to remove the problem, which I feel, in the light of the many reports I have received, actually does exist.

Mr. Carman: I would like to deal with the question relative to the drugs.

At the present time there are very clear policies laid down on pharmacology which apply to all of the facilities. There was a time, probably five to 10 years ago, when there was a very significant level of drug prescription in facilities. That has been very considerably reduced in the past five years in particular.

The facilities were subjected to a very thoroughgoing review by the heads of the pharmacology departments of the University of Toronto and two other universities two years ago. The facilities' program of medication was consid-

ered to be appropriate by that particular review group. As I stated, there are policies which apply to the application of medication in the facilities, and it is my understanding that these policies are known and applied at all of the facilities across the province.

I would like to correct a figure I gave you earlier relative to the population at Prince Edward Heights. The figure I gave you from my memory, which was 400, is closer to being correct. There are actually 404 residents. The reason for the difference is that I had forgotten the children—the votes were broken down into adults and children—and there are about 40 children in the facility.

Mr. O'Neil: I note the imbalance in the proportion of children to adults. There are only 40 children out of a total of 404.

Were there more children at one time? Is it policy to transfer children out of that institution into other homes? What is the policy of the ministry in that regard? Finally, should children even be in that institution?

Mr. Carman: Our long-term policy relative to children is that we would prefer to have no children in any of the mental retardation facilities at all. We are definitely moving in the direction of having community residences for those who are so severely handicapped that they cannot be looked after at home or in a foster home. We are doing this as funds become available and as the associations are prepared to take on this additional work load.

Hon. Mr. Norton: There is another important point that should be emphasized. With the quite dramatic increase over the last number of years in support services in the community—I do not have specific figures; Dr. Farmer might have those when he arrives—the number of children being admitted to institutions has declined considerably.

4:40 p.m.

It is certainly within my easy recollection, before I was involved in provincial politics at all, that it was fairly common for people whose child was born with developmental handicaps to have the child placed in a provincial institution. The frequency of that has decreased considerably, partly through the efforts of the MR associations, and certainly with our encouragement and through the development of services in the community that will assist families through such things as infant stimulation, parent relief programs, improved educational programs for the developmentally handicapped.

There is one point I would like to make. I was not sure about your point where you were quot-

ing a staff member saying that some children saw a doctor in this facility only once a month. I do not know whether he or she was suggesting that was the maximum or whether some saw a doctor that infrequently. I think it is important to bear in mind that a developmentally handicapped person is not necessarily ill.

Mr. O'Neil: I realize that.

Hon. Mr. Norton: Some of them may, in fact, be ill. Many of them may not require any more frequent attendance from a doctor than your children or anyone else's children, unless they were ill at the time and required that. I hope the person was not suggesting that was the most frequent that an individual saw a doctor.

Mr. O'Neil: I am not sure. I made notes when this person called me, but I am not totally clear on that. As I say, I always have the fear that when certain points like this are brought up in estimates, only some answers are given, and I would ask if I could have the commitment of the minister and his staff on this.

I will have photostats made of the minutes of this last meeting these people had. It gives the names of people like Dr. H. B. S. de Groot, who is the chairman; Mrs. Flo Martin, vice-chairman; Mrs. Breg de Groot, the wife of the doctor, secretary-treasurer. I will leave a copy of these minutes with the ministry staff. I would ask if they would have their staff get in touch with these people.

I wonder if I could have the ministry report back to me on some of the other points that I have raised in the estimates today. I am concerned because although the actual facility is not within my riding, many of the people from my area attend there. I want to make it clear that criticisms are not directed towards present staff and Dr. Purificati, because I think additional funds and assistance are required from this ministry to assist those people to do the job that they would like to do.

Hon. Mr. Norton: Are the minutes that you have more specific than your question in terms of the kinds of problems that were identified? I was trying to make notes as you were referring to them. I think the staff ratio one is clear.

You mentioned they had expressed some concern around the dispensing of prescription of drugs. Do they indicate what the specific concern is?

Mr. O'Neil: No, they do not give specifics, and that is why I feel your staff could get in touch with these people. From what I understand, they are people who have children there, or adult children; they are friends of the institution. There are other people who are interested

in it. I think that they are quite familiar with the institution and I am sure if you were to get in touch with them, they could give you all of the details you would need to check these things out.

Hon. Mr. Norton: Yes. Several of the points you have made, I think, would require more detail for us to respond, and we may have to make some contact with that organization.

For example, if they have expressed concern about confidentiality of files, it seems to me that is a matter of very real concern if they are referring to people other than staff members who might require access to files in order to appropriately assist the residents. But if you do not have that, perhaps you could inform us as how we could contact the individuals involved so that we can get that.

Mr. O'Neil: I will leave this with you. As I say, there are other things in it which I have not mentioned. There is a section in here which deals with some of the praise they have for the staff and for the director.

I will have photostats made right now and leave this with you. But I would appreciate it if the ministry would report back to me on the changes that they see. I really feel that there are people within the ministry itself, people who have inspected that institution or people who know it, such as these people here, and perhaps even some of your people feel there could be a little better job done in looking after these people.

Mr. R. F. Johnston: Just following up on this business of the kids and adult services, to tack on for a second. In looking at the figures, I am shocked to know that we still have kids in adult institutions.

Are there almost 1,000 kids, at the moment, still in these schedule I facilities? Out of 4,760, 1,000 of them are kids?

Mr. Carman: Those are all adults. Six thousand altogether.

Mr. R. F. Johnston: Six thousand.

Hon. Mr. Norton: May I, first of all, just point out that they are within perhaps the same general facility, but it does not mean that the children are in the same units as adults. There would be separate units within the facility for children and adults. Mixing children with adults is not the practice.

Mr. R. F. Johnston: I am presuming that you have a policy of separating the facilities and getting kids more into the community from your staff in the children's section, that you are trying to move away from that system. But you do not seem to be moving away from it very quickly.

Hon. Mr. Norton: In some instances, for example, the children may be engaged in a developmental program preparing them for return to the community in a foster setting or perhaps through their own home, and they would be in transit or in transition. In some cases, they may be very severely handicapped children for whom, at the moment, we may be awaiting opportunities for the development of, say, a smaller group home setting for severely handicapped children.

But certainly, the thrust of what we are doing is to try, first of all, to avoid having children going in in the first instance, and trying, as quickly as possible, to have children moved out into appropriate community settings.

Mr. R. F. Johnston: Sorry, I will come back to that.

Mr. O'Neil: There was another question. I know this was raised about a year or two ago. I remember you had a fire at the institution at that time, and I think there was a death. One of the parents came to me on two or three occasions.

They had a problem with fire coverage at the facilities. I do not know whether you recall it. I remember there was a closer fire department, and because of some arrangement that they were out in the township, the closest one could not come. I just wonder, was that ever resolved?

Mr. Carman: I cannot give the specific details, but a decision was taken to have Hallowell township provide a fire service much closer to the facility. Whether that is actually in place, or is in the process of being implemented, I am not certain. But clearly a decision was made by the government to resolve that problem, Mr. O'Neil.

Mr. O'Neil: Could I have maybe somebody enlighten me on that?

Mr. Carman: Yes, certainly.

Mr. O'Neil: As I say, I know it is a time of restraint and everything else, and I do not know whether I should even mention it, but I noticed in the minutes they mention facilities like swimming facilities. Is there any sharing? Or are the children there taken to—I do not even know whether there is a pool in Picton.

Mr. Carman: They were proposing one.

Mr. O'Neil: Maybe they could check that out for me too.

Hon. Mr. Norton: I do not believe there is a swimming pool at present. As I recall, there was a proposal from, I guess, the town of Picton, for a joint facility, but because of the capital costs involved and the other priorities in terms of service even within the facilities at that time, we were not in a position to proceed with it. It was

going to be a very costly operation. So there is no swimming pool there at the present time.

Mr. Chairman: Mr. Sweeney has a supplementary, Mr. O'Neil. Would you permit?

Mr. O'Neil: Oh, I would just love to have him ask it.

Mr. Sweeney: We have been talking about services for adults, and then we dovetailed into children.

I have had a problem directed to me on two occasions now of a retarded adult who had been kept with his family as a child and until about the age of 31, 32 or 33 when the parents themselves had reached a point where, because of their age, they were incapable of looking after him any longer. There seems to be a penalty upon them because they want at that point to introduce him into some kind of a residential facility, but because he has not been in there all this time they have difficulty getting him in.

4:50 p.m.

How do you deal with a situation such as this? I know of one person in particular who wishes to go into a facility you have in Brantford and which both the young man and the parents feel is a very acceptable facility, but he has been on a waiting list, I think, for three years.

The mother in this case, who is now a widow and 71 years of age, recently fell and hurt her back. It is becoming impossible for her to help this young man but she has the sense that because she did not put him into a facility at a much younger age there is a waiting penalty.

How do you deal with a situation like that? What is there available for this young man?

Hon. Mr. Norton: When the association for the mentally retarded opens a group home in the community with our assistance, we have a requirement that of the occupants of the group home, half of them be residents who move out of large institutional settings and half be individuals who are presently living in the community. The individual you describe, if he has spent his whole life up to this point living with his family in the community, I should think would be a very appropriate candidate for continuing to reside in the community rather than moving into any kind of institutional setting.

I do not know where the family you are referring to lives or what may specifically be available through the MR associations in that area, but it would seem to me that if he has managed to function living with his family in the community up to this point, it may be that if the institution you are referring to is a larger one, the holdup in part is that they would prefer to see him continue to live in the community in an

appropriate setting. Without further detail I would not know exactly what the circumstances were there.

Mr. Sweeney: My understanding, Mr. Minister, is that all those alternatives have been explored by the family and what we are now getting is this young man becoming emotionally upset because he knows that his mother is concerned she cannot look after him.

I happened to mention the Brantford one because his level of retardation is such that he can function. He is in a wheelchair but he can function in a setting like that. I am not aware, and we have checked it out, that there is any similar type of facility in the Kitchener-Waterloo area. It would appear that Brantford and Hamilton are the two closest centres that have a facility of that nature.

He is in a wheelchair but he is still capable of doing certain things. In other words, he does not need to sit in a corner for the rest of his life. He is as active as a man in a wheelchair at the age of 31 can be.

He has been in there on weekends, by the way, but they cannot keep him full time although that is a quite suitable setting for him, everyone agrees on it; but there just is not space. He has been on a waiting list for two or three years.

Hon. Mr. Norton: The facilities you describe are, I believe, schedule II facilities, that are not directly operated by the ministry but are operated by local boards. If there is a critical situation in terms of his present arrangement with his mother we may be able to make some interim arrangement, for example, at the Oxford regional centre, until an appropriate, more permanent residence can be found for him.

Mr. Sweeney: I guess the answer to my general question is that although he has been kept at home all this time, there is no penalty attached to that as opposed to people coming out of institutions and going into the smaller centres.

Hon. Mr. Norton: No, not that I am aware of, other than the fact that there may be some wish to make sure the setting he goes into is as close to the community and as small as possible since he has been functioning in the community all these years.

Mr. Sweeney: Perhaps your deputy could put me in touch with somebody to whom I could relate the specifics of this case and who would have someone investigate it. It is not appropriate to do it in public.

Hon. Mr. Norton: It raises an interesting developmental issue for the community associations for the mentally retarded and that is they have not moved much in the area of wheelchair

group homes. Clearly, as we move to a higher level of retardation being moved to the community, this is an area that is going to require further development.

Mr. Sweeney: That is why I suggested the Brantford one because, however it operates, it is suitable for this type of young man where the facilities in our community apparently are not.

Mr. O'Neil: There is one other home about which I had hoped to get a little more information. I believe the Cheshire Home in Belleville comes under your jurisdiction.

Hon. Mr. Norton: That is right.

Mr. O'Neil: I wonder if I could find out the current population of the Cheshire Home. Do you have any numbers or details on it?

Mr. Carman: We think there are about a dozen to 14 beds.

Mr. O'Neil: This is another group that has approached me from time to time in relation to funding, expressing the same argument we, as members, hear in a lot of cases. That is that these people are better off in such homes, rather than being in other facilities, that are cheaper for the government. Has there been any change in the funding allotted to an organizational home such as this?

Mr. Carman: Yes, there has been a significant change in the funding. It took place towards the end of the last fiscal year. It is a complicated funding arrangement. Mr. Anderson could explain it in some detail if the committee wishes.

Basically, it breaks down into two segments. One segment is rent-geared-to-income Ontario housing for the accommodation. In other words, Cheshire Home itself is now being capitalized by the Ontario Housing Corporation and the residents are on a rent-geared-to-income program.

Then there is supplementary funding for what I guess we could call attendant care or the cost of care over and above the cost the resident would pay out of his Family Benefits Act cheque for clothing and food. It is a combination. There are three elements to the funding package. We could give you more details if you wish.

It has been considered a significant improvement in funding for physically handicapped persons in the Cheshire Homes. As with anything new that comes along, it was viewed with some scepticism and reticence on the part of some of the boards, but that was because of the relative unfamiliarity and complexity of the funding. It has certainly improved the funding over the previous funding base, which was on a residential care base under more conventional legislation. Now that it is in place, my understanding is

it is being well received by the boards and by the residents themselves.

Mr. O'Neil: Has the ministry ever done a comparison of how much it costs to keep a resident in a home such as that compared to other facilities? Is it fairly economical? Are you working towards having more homes like this or would you rather have larger facilities?

Mr. Carman: It is difficult to make a comparison of the cost of maintaining physically handicapped persons because their handicaps cover such an enormous range of handicapping conditions. The hours of attendant care required by a physically handicapped person can range, per day, from as little as half an hour to an hour all the way up to five hours. As a consequence, it is leading us to talk about average cost of care.

5 p.m.

I think the answer to the question lies more in the satisfaction the physically handicapped person can achieve under these living arrangements. There is a feeling on their part, which I understand to be accurate, that there is a greater feeling of self-determination on the part of a physically handicapped person who is living in a residence where he has greater flexibility in coming and going and in looking after his own needs.

The jury is still out on the question of cost because we are still compiling the cost from a number of pilot projects and from the current Cheshire Home projects, but if one looks at it from the standpoint of meeting the needs of the physically handicapped person for belonging in the community and for self-determination, these models are more appropriate than some of the other models.

Mr. O'Neil: I experienced that when I toured that building a couple of times. The residents were happy and well looked after. I think the board was doing an excellent job.

Mr. McClellan: I know a number of members wish to speak this afternoon so I will raise just one of a number of items I want to raise under this vote. It has to do with the consequences of the government's new tax credit program for disabled people.

The government has always refused to increase the comfort allowance for disabled people within a variety of residential settings on the grounds they get the tax credits. As recently as June 1, 1979, the minister wrote to a Mr. A. M. L. Harris, who represents the income maintenance for the handicapped co-ordinating group. The minister repeated how wonderful the Ontario tax credit program was and how it is unfair to say the comfort allowance is only \$51 a month because one has to calculate in the amount of

the tax credit. Now the government has changed the program.

I am sure the minister has received correspondence from a number of handicapped groups and organizations. I have a letter sent by my own constituents at Bellwoods Park House pointing out that, with the passage of the new Ontario tax grant program, their annual income has been reduced by at least \$278 a year through the loss of the tax credit.

I want to ask the minister when he intends to raise the comfort allowance to a decent and adequate level.

Hon. Mr. Norton: The comfort allowance was increased in May by \$10 to \$61.

Mr. McClellan: That is \$2 a day.

Hon. Mr. Norton: Yes, roughly. I would point out that persons in a situation where all their basic costs of shelter and food are covered are probably, with that \$61 a month disposable income, in a better position than someone living independently in the community with the Gains D level of income, which is \$315 a month. If you include the comfort allowance, those living in the accommodation described have an income of \$397 or something of that nature. It is true they may have other expenses beyond the \$61 comfort allowance.

Mr. McClellan: I cannot imagine that. I cannot imagine how anyone could spend more than \$2 a day.

Hon. Mr. Norton: In relative terms, compared to those living independently in the community, they probably have more disposable income at this point.

Mr. McClellan: Is that your answer?

Hon. Mr. Norton: Yes.

Mr. McClellan: Do you mean to say your government is going to sit there and take away \$278 of income from disabled people who are living in charitable institutions, give them \$120 in return by way of compensation and pretend there is some equity to that because they are better off than people who are infinitely worse off?

Hon. Mr. Norton: It is important to bear in mind that the tax credit system in the province —

Mr. McClellan: You are the one who made the big argument about how generous the tax credit system was in raising the comfort allowance. You are the one who argued against raising the comfort allowance because you had this tax credit system in place. Now you strip it away from them and say, "Well, too bad."

Hon. Mr. Norton: There has been, as I pointed out, an increase in the comfort allowance

this year from \$51 to \$61, an increase of roughly 20 per cent.

Mr. McClellan: What is that, about 20 cents a day? That is 30 cents a day, Mr. Minister.

Hon. Mr. Norton: The tax credit system is not a program operated by my ministry but is, as I think you understand, intended to assist with the cost of paying municipal taxes. It was revised this year by the Treasurer (Mr. F. S. Miller) to more accurately reflect those costs.

Mr. McClellan: What do you suppose the net saving to the government was?

Hon. Mr. Norton: I don't believe there was any net saving. There was a substantial increase in cost, if I am not mistaken.

Mr. McClellan: With respect to the disabled, you obviously made a certain amount of money on that transaction. Do you know how much you made?

Hon. Mr. Norton: None. We did not make any money on that transaction at all. I don't know what you are talking about.

Mr. McClellan: You were paying, on average, \$278 a year through the tax credit program to disabled residents of institutions and now you have reduced that. How much are you saving? Can you calculate that for us?

Hon. Mr. Norton: We are not saving anything. I don't know what your point is.

Mr. McClellan: You are paying out a third less to the disabled than you were before. How much are you saving? Maybe you are spending it somewhere else but first it goes back into the pot. Tell us how much you are saving at the expense of the disabled.

Hon. Mr. Norton: We are not saving anything.

Mr. McClellan: You have taken the difference between \$278 and \$120.

Hon. Mr. Norton: What that amounted to as a shift, if you wish, I don't know. You would have to ask that question of the Minister of Revenue (Mr. Maeck). I don't know what the figures are.

Mr. McClellan: Have you not bothered to try to figure that one out?

Hon. Mr. Norton: I have not had reason to because there is no saving involved, I can assure you of that.

Mr. R. F. Johnston: These people are getting less money than they were before.

Mr. McClellan: Do you understand that? Does that get through to you?

Hon. Mr. Norton: In fact, if you take into consideration what the residents of Bellwoods Park House, for example, are receiving in terms of a comfort allowance plus their transportation

allowance, it would bring what they have to cover those expenses to \$75 or \$76 a month.

Mr. R. F. Johnston: The essential difference between last year and this year in terms of the comfort allowance is about \$9 a month, is that right? It was \$51 before; it's \$61 now, so the difference is \$10.

Hon. Mr. Norton: Plus the transportation allowance.

Mr. Carman: Was that not there before?

Mr. R. F. Johnston: Yes, there has been no increase in that as far as I know. I wouldn't say a lot of them are out doing a lot of part-time work either. You also said they have a lot more disposable income than most elderly people in the community.

Hon. Mr. Norton: I didn't say elderly people in the community. I said other persons with similar circumstances living in the community, because those people living in the community do not get a comfort allowance.

Mr. R. F. Johnston: That works out to \$2 or \$3 a day disposable income.

Hon. Mr. Norton: Their income would be \$315 from Gains D. For example, those people living in apartments with support services would have an income of \$315 a month, out of which they would pay rent, food and accommodation. 5:10 p.m.

Mr. R. F. Johnston: What I don't understand is why you haven't been fighting to get them some of the money that has been taken away from them in the shift that has been made. Why haven't you taken it on as an issue that is important to these people in institutions?

Hon. Mr. Norton: What evidence do you have that I have not taken it on?

Mr. R. F. Johnston: You said—I forget—I wish I could quote you—you said you had no reason to follow it up, or something like that.

Hon. Mr. Norton: I had no reason to ask the Minister of Revenue the specific dollar figures in terms of shift in his ministry. That's what I said.

Mr. R. F. Johnston: But not in terms of wanting to get it back to these people.

Hon. Mr. Norton: That is an extraneous issue, whether or not this ministry has taken a position—

Mr. R. F. Johnston: Let's put it the other way around then. What have you done to get money back to them that they had last year? Because they are now getting less than they did last year.

Hon. Mr. Norton: One thing that happened this year was the increase in the comfort allowance, plus some liberalization, relaxation, or

increase, if you wish, of the part-time work exemptions—which I agree is not applicable to all of them.

Mr. R. F. Johnston: But even with that, you admit that there is a difference. Surely they are still losing compared to what they got last year.

Hon. Mr. Norton: Oh, sure—

Mr. R. F. Johnston: Why is that acceptable. Were they so well off, so affluent last year?

Hon. Mr. Norton: The point, surely, that you are choosing to overlook is that the program from which they were receiving greater assistance last year was altered in the budget to provide for a more equitable effort to address the payment of the—

Mr. R. F. Johnston: You are saying it is being done on the backs of these people.

Hon. Mr. Norton: I did not say that.

Mr. R. F. Johnston: You are saying that it has been done because there was a shift, and you are not doing anything to redress it. You are saying that is acceptable to you; that the cost for the shift to make the property tax and other things more equitable should be borne by these people.

Why should it be? Why should they get less than they did last year?

Hon. Mr. Norton: I think it is reasonable to recognize that the residences in which they live are exempt from taxation.

Mr. McClellan: But you never mentioned the inequity of the tax credit system when you used the argument as a basis for refusing to increase the comfort allowance. Now you argue out of the other side of your mouth.

Surely you have the decency to go to cabinet and make the strongest possible recommendation that the least that decency requires is that the comfort allowance be raised so that there is absolutely no net loss to disabled people in residential settings. Surely that is the very minimum, in terms of just simple decency, that this government could do.

Mr. Sweeney: The minister continually refers to the property tax segment of that tax rebate. The minister's responses over the last few minutes have been to the property tax portion of that rebate.

But the minister is also aware of the fact that there are three portions in that rebate, one of them referring to property tax, one to sales tax, and another one simply to the pensioner's allowance of \$110 that had nothing to do directly with either sales tax or property tax. It was simply a recognition that people who have reached an age where they have to live on a pension should

get that additional money. Why was that taken away from these people?

I may not agree with it, but I can quite understand the argument that people living in an institution do not pay property tax and therefore cannot justify being relieved from it. I can see some logic to that. But I cannot see any logic whatsoever in their losing that \$110 that had nothing to do with property tax.

I can tell you quite frankly, Mr. Minister, that a group of people in one of our senior citizens' residences approached me and said they particularly felt that loss because it was the one time during the year when they got a lump sum payment sufficiently large to enable them to go out and buy a pair of shoes, a new dress, a new pair of trousers or something like that. They said the monthly comfort allowance was used just in the way it was intended to be used—for toiletries, cigarettes, I guess a drink now and then—but there was no way that they could accumulate that lump sum.

I have not been able to explain to them how anyone justifies their losing that \$110. It has nothing to do with property tax.

Hon. Mr. Norton: I do not think that these individuals ever received the pensioner tax credit. I believe that was for the elderly only, those of 65 years and older.

Mr. Sweeney: I am talking about the group of senior citizens who are losing the money for the same reasons. It is another type of institutional arrangement, but it amounts to the same thing. They are losing it. They were getting \$110 solely for that purpose, apart from whatever else they might have been receiving.

Hon. Mr. Norton: I must confess I was not aware that they were not receiving that any longer. If I were—

Mr. Sweeney: The new rebate plan wipes out that entire section for them.

Mr. McClellan: I guess it was not part of the advertising programs.

Mr. Sweeney: Mr. Minister, I suspect that you cannot do anything about it in the current budget year, but could you make a plea in cabinet that that is an important area purely from the political point of view of your government?

There is just no way you can explain it. It does not fall under the property tax credit section at all. It is a totally separate amount of money and it is gone. It was there today and gone tomorrow.

Mr. R. J. Johnston: They used it to pay for the advertising campaign.

Hon. Mr. Norton: I mention this not as a way to avoid the question you raised—I don't know

offhand what the reason was for that, other than to rationalize the tax credit system—but those individuals you are referring to would presumably have received, with the increase in comfort allowance and as the result of the complete pass-through of the \$35 federal increase in old age security, a total of something like \$540, which should more than offset what they might have lost in terms of tax credits.

Are these people living in a charitable institution?

Mr. Sweeney: No, in a municipally run senior citizens' home. That's not a charitable institution.

Mr. Minister, the counterargument has to be that those additional funds were made available, by the simple increase in costs of the things that they were purchasing anyway is still a net loss—that increase of \$10 a month you spoke about before.

Hon. Mr. Norton: Yes.

Mr. Sweeney: That does not take the place of something that they were getting; it is just a recognition. And the \$35 from the federal government is the same thing, it is a cost of living increase, in both cases. It is not to take the place of something that they were getting before. It was not a replacement sum.

Hon. Mr. Norton: I am not saying your argument is not valid, but you have to bear in mind that these individuals also have greater protection than others living in the community against such increases in costs. Their basic accommodation and food costs are covered in their basic contribution towards their living expenses, and in some case they are subsidized.

At the same time their disposable income would be \$61 a month. In fact, if they were receiving the full amount, it would work out to something like \$96 a month of disposable income that they would have this year, which is more than they would have had last year. That is for the elderly, not for the disabled. It works out to \$96 a month that the latter would have as disposable income.

Mr. McClellan: Why don't you treat the disabled in the same way? You have a net increase to senior citizens within residential facilities because the guaranteed income supplement was passed through. There was no cost to the Ontario government—I guess that is why it was passed through—but there is a net increase. So people in that category did not suffer because of the introduction of the tax grant program.

But the disabled have suffered a net loss of income. Surely you have a responsibility to go to your cabinet and obtain an increase in the com-

fort allowance to cover that net loss. Do you not agree?

5:20 p.m.

Hon. Mr. Norton: I would only say that you do not know what I have done.

Mr. R. F. Johnston: Do you mean you tried and they said no? I am just asking you.

Hon. Mr. Norton: I will accept the statement you made. Whether I agree or disagree is a—

Mr. McClellan: Well, good luck.

I have a whole bunch of things but I will let other members speak. I will come back to my points in rotation and cover some of them tomorrow as well.

Mr. Blundy: I want to put forth a report that was done by the Social Planning Council of Metropolitan Toronto called Prevention in the Canada Assistance Plan. I think this was done in March 1980. It was done by Reuel S. Amdur, program director of the social planning council. I found it rather interesting.

It talks about the Canada assistance plan providing funds to the province for public assistance, general welfare assistance and so forth. It also talks about the objective being prevention of the causes and effects of poverty, such as dependence upon public assistance and so forth. There are one or two things I would like to ask you about this subject and I will make comments on what I find in this report.

On the matter of prevention and rehabilitation under the Canada assistance plan, I would like you to discuss that and let me know how effective that is and how it is working.

There is one point here I wanted to make in particular. This report talks about certain other provinces and their handling in the current situation under the Canada assistance plan. It talks about Alberta and British Columbia and what they have been doing.

It ends up, "However, while Alberta has received Canada assistance plan support for Meals on Wheels, the federal government has disallowed such programs for Ontario." This surprised me. I would like you to comment on that.

Another point follows immediately on that: "One difference between Ontario and the other two"—meaning Alberta and British Columbia—"appears to be a backlog of programs in Ontario on which applications for cost sharing have not been submitted. Programs were put in place and then staff worked on developing applications for many of these programs after. Due to work loads and staff cutbacks in the Ministry of Community and Social Services in 1975, they were never followed up."

Mr. Sweeney: Penny wise and pound foolish.

Mr. Blundy: There are a number of other paragraphs here I won't go into. The next paragraph from which I would like to read says, "In any case it appears incredible that Ontario would cut back on staff to such an extent that it is hamstrung in applying for matching funds for programs already in place."

Those are pretty serious accusations. I would like the minister to comment on them and give any justification for this situation. If he feels the allegations are completely wrong, let us discuss that.

Hon. Mr. Norton: I am not sure specifically what that report refers to. I do not believe I have seen that report. I do not know whether any of the staff has.

There are some programs on which we have not received federal cost sharing, that is true.

Mr. Blundy: Why?

Hon. Mr. Norton: Primarily because we have refused to apply the needs testing that is required under the Canada assistance plan. That may be what it is referring to. I do not think in those cases it is fair to say we have not made application. Our programs do not qualify because we are more generous in the way in which they are applied.

Meals on Wheels would be an example of those. We do not needs-test every individual who receives service from Meals on Wheels programs in this province. I cannot speak with authority on this, but I presume the other provinces have met the federal requirements in terms of needs testing and, therefore, would be eligible for assistance under the CAP.

We have initiated other programs that have not met the requirements for federal cost sharing. The special assistance to families of handicapped children, with an allowance of up to \$175 a month, is not cost shared. It is 100 per cent funded by provincial dollars. The drug benefit program for the aged in Ontario is not cost shared by the federal government. The whole of the Gains aged program administered by the Ministry of Revenue does not have federal cost sharing.

There are a number of cases where we have deliberately made the decision to go ahead with a program which may not be eligible for federal cost sharing.

For a given program to be eligible, we have to subject the applicants to, I suppose, a basically similar test to individuals applying for family benefits. A similar kind of test would have to be applied on all those programs to be eligible for federal cost sharing. In these programs we have chosen not to.

Mr. McClellan: What programs are you talking about specifically?

Hon. Mr. Norton: I don't have a complete list here but there would be the—

Mr. McClellan: Aside from Gains, which is a red herring, what—

Hon. Mr. Norton: There is the allowance for handicapped children, the drug benefit plan, the Gains program, all of the outreach programs for the elderly. The work incentive program is not eligible. I am sure there are others I cannot think of at the moment. We will get you a list.

We have not until now had cost sharing on children in mental retardation facilities.

5:30 p.m.

Mr. Blundy: Further, as I believe I mentioned initially, this report talks about prevention and rehabilitation programs. It talks about programs which have a reputation of having made wide use of the likely-to-be-in-need provision plan.

Are you familiar with that, with persons likely to become in need under the Canada assistance plan as well? Is there any way in which your ministry is taking advantage of the Canada assistance plan in that category?

Hon. Mr. Norton: The counselling services which in some instances we provide directly and which in others are cost shared through municipalities would be one example of that.

Mr. Blundy: Is that cost shared under the CAP?

Hon. Mr. Norton: Yes. I suppose the home support programs would be another. The vocational rehabilitation program could be classified as one of those programs to assist people who might otherwise become persons in need.

Mr. Blundy: I have a number of other questions, but apparently there are some people here who want to ask things.

Mr. Chairman: Mr. Martel, we welcome you for your annual trek to the social development committee.

Mr. Martel: I want to tell you, Mr. Chairman, it used to be that at one time nothing in here changed except the minister. Now even the minister does not change. This could be depressing, I want to tell you.

Let me ask the first question. Are there still homes for special care where the comfort allowance is not given to some of the residents?

Hon. Mr. Norton: In the Ministry of Health, yes.

Mr. Martel: I used to raise this many years ago because I always found it depressing when you dumped someone into one of these small

homes. There was no money even for such things as a postage stamp.

What still bothers me is one goes to some of those homes and there is really nothing for the people to do. There are not even enough funds to purchase crafts, let us say, so they could engage themselves during the day and do something rather than just vegetate 24 hours a day.

When, in God's name, is that going to change? When are you going to provide a little bit of a comfort allowance so such things could be purchased for them to do, such as crafts, or so an adult from such an institution can purchase something on his own like other human beings?

Hon. Mr. Norton: The homes for special care are within the Ministry of Health, not within my ministry. I am not sure I can answer your question.

With respect to the mentally retarded in those homes for special care, we are now in the process of implementation of assessments and individualized programs for those residents. It is at present under way.

Mr. Martel: I was the critic for this ministry back in 1975 and I guess I argued that from 1971 to 1975. We are now in 1980 and you are going to do an assessment. Whoop-de-do.

What in hell is wrong with us if we cannot be a little humane to these people? They have problems. Surely to God, after all this time, you could find it in your measly budget to provide them with a little bit in the form of cash so they could live like human beings.

I was recently at an opening of a week for senior citizens at a senior citizens' centre. They brought a group of 14 women from such a home for a Sunday afternoon outing. It is an excellent home in my riding. Of course, if the woman who runs it did not have the staff to provide transportation, they would have never got there. They could have vegetated, as many people are doing in this province because there is not even a sufficient amount of money to make that modest little venture for them.

I complained about this same thing, with respect to the same home, begging this ministry a number of years ago to provide a comfort allowance of some sort to them. Now we have moved all the way, we are going to do an individual assessment. My God. It is depressing.

Hon. Mr. Norton: Maybe one of the reasons that you are so frustrated is for 10 years, by your admission, you have been perhaps talking to the wrong ministry.

Mr. Martel: You can provide maintenance income. That is what you are all about.

Hon. Mr. Norton: But you are talking about a program which is under another ministry.

Mr. Martel: I am talking about maintenance income.

Hon. Mr. Norton: You are talking about something which is not in the votes we are debating.

Mr. Martel: Mr. Minister, if you wanted to go out and fight on behalf of those people, if you showed some compassion and felt that residents in those institutions needed at least a comfort allowance, one would hope that somewhere along the line you could have convinced your cabinet colleagues to provide that money, through you, because that is where the maintenance comes from.

You cannot forever say, "It is not my responsibility." People are your responsibility. To enable those people who have no income to live with a little dignity and a little self-respect surely is your responsibility. You just cannot fob it off and say "Well, it belongs somewhere else."

That is the way we treat Indians. Your ministry was responsible for that for years, in conjunction with the federal government. Everyone is saying, "It is not my bailiwick, go somewhere else." Where does the buck stop?

Mr. McClellan: Do you not provide comfort allowance for residents in nursing homes?

Hon. Mr. Norton: There is some provision.

Mr. McClellan: Are nursing homes under your jurisdiction, or are they under the jurisdiction of the Ministry of Health?

Hon. Mr. Norton: The Ministry of Health.

Mr. McClellan: What is the difference then?

Hon. Mr. Norton: That applies only to those on family benefits.

Mr. McClellan: And what about people on family benefits in homes for special care? Do they get a comfort allowance?

Mr. Alfieri: The homes for special care program is administered by the Ministry of Health whereby they provide the payments to the operators of the home on behalf of the residents who are admitted under the Homes for Special Care Act. They pay the per diem, clothing, and everything else.

Mr. Martel: Right. And how does that prevent you, Mr. Alfieri, from providing them with a comfort allowance over and above that?

Mr. Alfieri: First of all, there is no legislation to do so.

Mr. Martel: My God, we go through legislation here every day of the week. Introduce it.

Mr. Alfieri: With respect to the nursing home population, we only provide the comfort allow-

ance to those residents who are unable to afford the per diem, and we provide the family benefits directly to them as individuals as residents of the nursing home.

The difference between the two is that we do not provide allowances for the maintenance of those residents to pay their per diem when they are in a home for special care, because current law provides for the Ministry of Health to do so.

Mr. Martel: Lo all these years, though—you know that was without income—they have no comfort allowance. They cannot even purchase the most minuscule things in life—a chocolate bar. They cannot. They do not have a cent. And you can sit there and say, “Aha, but it belongs to someone else, and the legislation is not on the books.”

We go through amendments all the time. We would be prepared to amend the appropriate act to ensure that there is a comfort allowance—we said that in 1972, in 1973, in 1974, in 1975, and it is now 1980, and the minister says, “Aha, but we are going to start to assess.” That is progress. That is really progress.

Hon. Mr. Norton: I am glad you recognized that.

Mr. Martel: Oh, yes. I mean I am glad those people did not hold their breath waiting for it to come.

Hon. Mr. Norton: I am glad that no one advised them to do that. Yes, I agree.

Mr. Martel: Let me tell you about another one. I must go to another one because nothing ever changes. I have a case here of Mr. Walker. Do you know Mr. Leonard Walker?

Hon. Mr. Norton: Yes.

Mr. Martel: I have a couple of interesting questions I want to raise on behalf of Leonard Walker. This is his file, or a portion of it. I cannot understand the difference.

Mr. Walker applied in 1978 for assistance and was turned down because his application was rejected on the grounds that he was not a person to whom an allowance could be paid under the Family Benefits Act. He then applied a year later, appropriately I understand. And that is where I get mixed up. What is appropriate?

5:40 p.m.

“Mr. Walker then made a petition to the honourable Minister of Community and Social Services, the Provincial Secretary for Social Development and the honourable members of the executive dated July 27, 1979, requesting that consideration be given to granting him an allowance under the provisions of section 8 of the Family Benefits Act.” And he got it. Just like that.

Is that all you have to do now to get an order in council through, petition in the appropriate way? Because he did not, as I understand it, apply appropriately in the first place, it took a year for someone to advise him that he did not apply properly.

Maybe you could tell me what was wrong with the first application and then enlighten me as to why the second application was done properly, and the difference between the first and the second application which allowed him to get it.

Third, if people petition in the appropriate manner are they then going to get an order in council? Is that the way it is going to work in future?

Hon. Mr. Norton: I do not recall the details enough to know exactly what you mean when you refer to his petitioning me.

Mr. Martel: I do not understand either. I am just reading from the first decision of the Social Assistance Review Board.

By the way, it only took four and a half months to get a second decision. I want to question that too, why it takes four and a half months to get a decision out of the Social Assistance Review Board. We have all kinds of assurances that it does not take nearly that long. Does it, Mr. Chairman?

Mr. Chairman: I am not in a position to answer that.

Mr. Blundy: Mr. Chairman, as I understand it, in the case of Mr. Walker he was continually put off by various people within the ministry saying that he was ineligible.

Mr. Martel: Nineteen months.

Mr. Blundy: And then all of a sudden somebody in the ministry let out the news that if he petitioned the minister and the cabinet in council for an order to make him eligible, he would be eligible, and he did become eligible, but this is after a year and three months of trying to get something.

Hon. Mr. Norton: The thing is that he was ineligible under the terms of the legislation.

Mr. Blundy: I do not know why, because what difference does it make if it is a man staying home with his daughter or a woman staying home with her daughter?

Hon. Mr. Norton: Presumably, you have read the legislation and you know what the legislation provides for. We will come back to the specifics if you wish to raise them in Mr. Walker's case.

There is, and has been now for the last couple of years perhaps, established what I think are rather clear guidelines for the staff to assist them

in determining which cases could be brought forward as appropriate cases for consideration for order in council. Those are not secret, as someone suggested the other day, they are included in the manual that is published and is available.

Mr. Martel: Tell me what the different concept is between his original application and the second one then.

Hon. Mr. Norton: I think in Mr. Walker's case it was simply that when he requested consideration by way of order in council the facts of his case were reviewed and it was determined that it was an appropriate case.

Mr. Martel: Okay. Now tell me: his first application was some 12 or 14 months previously; what was the difference between his original application and the second one which prompted you to change your mind?

Of course, the next question I am going to ask you is why was he not told during that 12 or 14 months how to apply properly?

Hon. Mr. Norton: I do not know that he had ever applied for an order in council previously.

Mr. Martel: No, he did not. He applied for benefits.

Mr. Blundy: He did not, but the point I am trying to make is why was he not told to do that initially instead of waiting a year and two months.

Mr. Chairman: One at a time.

Hon. Mr. Norton: It may well have been, in fact it has been suggested, that he might have been unwilling to follow that route at the time because of his wish to press for a change in the legislation on the basis that it was discriminatory on the basis of sex.

Mr. Martel: That only came after he was turned down. I want to know why. He made an initial application in 1978. Who advised him then on the appropriate procedure to follow?

Hon. Mr. Norton: I do not know. I do not suppose that Mr. Alfieri knows either.

Mr. Alfieri: Mr. Chairman, the application was originally received in 1978, at which time he was advised that he was not eligible inasmuch as there was no provision under the legislation for persons in his circumstances.

Mr. Martel: Right, let us stop there. Why was he not advised then on the appropriate mechanism to follow, which was the appeal for an order in council?

Mr. Alfieri: He then requested consideration under order in council. He requested the former director, I was not there then, to consider—

Mr. Martel: After 14 months.

Mr. Alfieri: No, this was in June 1978. A month after he was notified he was ineligible he requested consideration by order in council.

The director at the time reviewed the circumstances and informed him that he was not going to recommend him for that because he did not fit the criteria of special circumstances at the time. Then Mr. Walker appealed the decision to the Social Assistance Review Board. The Social Assistance Review Board upheld the director's decision and now we are talking about August of 1978.

Mr. Walker continued with the legal aspects of the proceedings by appealing to the Supreme Court of Ontario, which handed down a decision on June 22, 1979, rejecting the appeal and upholding both the Social Assistance Review Board and the director.

At that time the solicitor for Mr. Walker requested of our solicitor what else could be done, at which point he was advised that the only other recourse he had would be perhaps to petition the minister directly. This he did, and the minister received the petition in September 1979, I believe.

Following an interview with Mr. Walker and his solicitor, both Mr. Anderson and I recommended to the minister that he proceed to recommend an order in council, which was done, and he was subsequently granted benefits in October 1979.

Mr. Martel: Tell me why then in 1978, after the rejection, someone would not say to Mr. Walker, "You can, and if you want to pursue it you must, go in this direction"?

A year later he was told. In 1979 he finally petitioned in the appropriate manner.

Tell me why you will not give him the retroactivity. Nothing changed in his circumstances from 1978 to 1980, except that after a year of delay he applied in the appropriate manner.

I suspect it had something to do with publicity. It has always been my experience with the ministry that if you are going to get an order in council what you do is go to the press. It has been my experience that since 1974 and 1975, with nearly all of the 20 that have been recommended, if you give the minister a black eye they silence the individual by giving him an order in council.

I think a man up in Penetanguishene—you will recall we went through that one here as well—ultimately got it because the minister did not like being on that program on Sunday night, Ombudsman.

I am not cynical or anything like that, but bad press has a way of loosening the purse strings to silence the individual involved. As I said, nothing

changes because there was a lot of fuss surrounding this case in 1979.

Hon. Mr. Norton: I do not recall whether there was bad press in 1979 or not, but I think we could review a number of cases which have been in the press and that has not changed the decision of the ministry on the basis of reviewing the facts.

Mr. Martel: Why would you not have done it initially? The facts were known. Not one single, solitary thing changed in that man's circumstances. He lived in the same house, he attended the same university, he looked after the same child as he pursued his studies at the university in Windsor. Nothing changed except that he applied in the appropriate manner.

Did something change?

Mr. Anderson: Mr. Chairman, a number of things changed in the man's circumstances over the period of time. The man was, and perhaps still is, a student who had considerable ability working in other areas as far as earning money is concerned. At various times in that period where you suggest retroactivity, his earnings would have been well beyond the levels which would permit our program to be involved.

5:50 p.m.

The question around orders in council with regard to men who have their children in care is whether or not it is in the best interest of the child for the man to be at home or available on the allowance. In the case of this gentleman the child was, while at school, in the care of the grandparents from time to time and not in his care.

In the case of retroactivity we would not know, going back from any one month to another, whether he had entitlement. In any event, in normal circumstances orders in council are not made retroactive. They are made from the time the council decides the eligibility exists.

Mr. Martel: If he had been informed in the first place as to how to apply properly after the initial rejection, as he tells me all the circumstances are the same, he would have been eligible at the time.

Mr. Alfieri: This was the very first case where an order in council under family benefits took the route of a direct petition to a member of cabinet. Other requests for orders in council have gone through the normal intake process.

I think the difference between the regular ones and this one is that instead of taking that action at the time back in 1978 when he was first deemed ineligible, he elected to exercise his right of appeal. It wasn't until a year or so later that this other option was exercised by him.

I wish to state this is the very first time—

Mr. Martel: Was he advised in 1978 that option was available to him?

Mr. Alfieri: I don't think so, but I am not sure that anyone had ever explored that option before because it has never happened before. This option set a precedent in going that route.

Mr. Martel: What is the sense of having a system devised if the applicants are not advised it exists?

Hon. Mr. Norton: I don't know what lack of information Mr. Walker suffered from at that time. I honestly do not.

I think that problem has been remedied by the dissemination of guidelines. A field worker who now receives an application from such a person would be able to advise him quite readily, I should think, as to whether his circumstances fall within the guidelines for an order in council for a sole-support father.

Mr. Martel: Would you agree that because he was not advised initially he should be entitled to the benefits during the period of time for which they were denied?

Hon. Mr. Norton: I don't know what his circumstances were from month to month, but I think you have heard—

Mr. Martel: I am sure with a little work we could find out who is deserving.

Do you not think that your ministry should attempt to accommodate this case, as it was the first one and no one had all the information available? Surely the ministry should find out when he had custody of the child, when the child was with the grandparents and make the adjustment on that basis. Is that reasonable? You are a reasonable man.

Hon. Mr. Norton: You have rarely accused me of that before.

Mr. Martel: I want to give you an opportunity to prove it.

Hon. Mr. Norton: As has been pointed out, the point at which he became eligible was the point at which the executive council deemed him to be eligible and that is the point from which his benefits flow.

Mr. Martel: He might have been eligible the year before, if he had been appropriately advised how to apply.

Hon. Mr. Norton: He had applied previously.

Mr. Martel: And had been rejected.

Hon. Mr. Norton: That is correct.

Mr. Martel: He did not apply in the manner that ultimately led him to achieve this benefit.

I am saying had he been advised of the appropriate way of doing it in the year that transpired from his initial application to his successfully getting it, he could well have had those benefits while he was going to university for those seven and a half months during the winter of 1978-79. Therefore, he should be recompensed for that period of time in which he was not advised by your ministry officials on the appropriate manner to proceed.

Hon. Mr. Norton: I would like to point out to you that I don't think one method is more appropriate than the other. In fact, as Mr. Alfieri has pointed out, this is the only case that has been pursued by way of such a petition.

Mr. Martel: That is right, and he would have done it a year sooner had he so been advised.

Hon. Mr. Norton: Those others who have applied in the other way and whose cases have been recommended for consideration by the council have also applied appropriately.

Mr. Martel: If he had been advised how to apply appropriately in the first place he might have had it a year sooner.

Hon. Mr. Norton: He did apply appropriately in the first place.

Mr. Martel: No, he didn't. He was rejected. He was turned down.

Hon. Mr. Norton: Are you suggesting that the determination of an appropriate method of application is whether it is accepted or rejected? Are you talking about the procedure, or what are you talking about?

Mr. Martel: Let me read part of the decision. It says, "Mr. Walker then made petition to the honourable Minister of Community and Social Services, the Provincial Secretary for Social Development, the honourable members of the executive . . . requesting consideration be given to granting him an allowance under the provisions of section 8 of the Family Benefits Act and he was ultimately given an order in council granting him an allowance which was approved by the Lieutenant Governor in Council on October 3, 1979."

When he went via petition the appropriate way, according to the Social Assistance Review Board decision, he was granted it. Had he been advised in the first place as to the way he should petition, there is every reason to believe he would have received the order in council one year earlier.

Hon. Mr. Norton: What decision are you reading from?

Mr. Martel: The decision to reject him in the beginning, the decision of the Social Assistance

Review Board, signed by Mr. Frank Mulrooney. Let me find the date for you.

Hon. Mr. Norton: How could it be the decision to refuse, when it makes reference to the fact he has been—

Mr. Martel: They told him that if he went and applied in the appropriate way, he would probably get it. That is 1980, his appeal against the retroactivity.

Hon. Mr. Norton: That is the second decision.

Mr. Martel: That is right. It only took four a half months, by the way. I want to ask you about that too. Why four and a half months?

Hon. Mr. Norton: You should have been here yesterday when the chairman of the Social Assistance Review Board was here responding to questions. I don't know why it took that long.

Mr. Martel: Four and a half months?

Hon. Mr. Norton: When you raised it today, it was the first time I had heard about it.

Mr. Martel: We were told that these never take that long. They don't take that long, do they?

Hon. Mr. Norton: Obviously they do in some instances. I'm just advised that in that case there were subsequent written briefs submitted after the hearing which the board had to consider.

Mr. Martel: Four and a half months. I'm glad you did not have to hold—

Hon. Mr. Norton: It was obviously a complex case for them to decide.

Mr. Martel: Complex. All it was was his application for retroactivity.

Could I ask one short question because you bombed on that one? You wrote a letter to a solicitor for the Sudbury Community Legal Clinic on June 29, 1979, and I'm still waiting breathlessly for you to introduce the legislation.

You tell Mr. David Leitch, "Thank you for your letter of June 8, 1979, pertaining to the absence of any provision in the General Welfare Assistance Act to protect against the attachment or seizure of any allowance paid thereunder."

As you know, there is a group petitioning you very hard, landlords in particular, to try to seize the cheque that might be paid to someone on welfare. Let me read the next sentence, "I agree that such protection should be afforded and it is my intention to recommend that the act be amended accordingly at the earliest opportunity."

That's over a year. I'm still waiting for that piece of legislation to protect people under the General Welfare Assistance Act. When do you intend to introduce that?

Hon. Mr. Norton: To clarify things, the pressure is not coming with respect to general welfare assistance recipients. The pressure that has been mounted has been directed towards those people who are receiving family benefits.

Mr. Martel: I'm only quoting the minister's letter. You say: "Thank you for your letter of June 8, 1979, pertaining to the absence of any provision in the General Welfare Assistance Act to provide against the attachment or seizure of any allowance paid thereunder. I agree that such protection should be afforded, and it is my intention to recommend that the act be amended accordingly at the earliest opportunity."

That is dated June 29, 1979. As I say, the wheels grind slowly, don't they?

Hon. Mr. Norton: You should not rule out the possibility the appropriate opportunity has not arisen. If you are prepared to get all the necessary undertakings that if I introduce such an amendment to the legislation that will be the only amendment before the House, perhaps that might create the circumstances in which we could proceed. However, the pressure—

Mr. Martel: If you bring the amendment in, we cannot divert from the amendment. The Speaker would rule us out of order if we tried to introduce something that was not contained in the bill, so that is nonsense.

Hon. Mr. Norton: No.

Mr. Martel: Yes.

Hon. Mr. Norton: I think there may be different legal opinions on that.

Mr. Martel: No, there are not.

6 p.m.

Mr. Blundy: Will you write an amendment to the Family Benefits Act similar to that?

Hon. Mr. Norton: It already exists in family benefits.

Mr. Blundy: It already exists?

Hon. Mr. Norton: Yes. But the—

Mr. Martel: You are the one who just diverted while we are talking about something else. I was talking about the General Welfare Assistance Act.

Hon. Mr. Norton: I know you were, but Mr. Blundy raised the question if I would do the same thing for family benefits.

Mr. Martel: He had a concern under family benefits just two minutes ago.

Hon. Mr. Norton: That is where the pressure is at the moment. The other thing that has perhaps created less pressure in the intervening period is I am not aware of any case where there

has been an attempt to attach the benefits of a person.

Mr. Martel: You were concerned a year ago enough that you were going to bring in a piece of legislation. What has happened to your concern?

Hon. Mr. Norton: I am not any less concerned. I have already explained to you there may be other avenues you ought to explore.

Mr. Martel: Let me end up the way I started. Nothing ever changes in this ministry.

Hon. Mr. Norton: Oh, come on. Listen, you know very well that a great deal has changed. In fact, your colleague even prophesied at the opening that the minister might change.

Mr. Martel: They said the only thing that ever changed over there was the minister. In the last number of years, even the minister does not change.

Hon. Mr. Norton: I would like to invite you, although it is not my position to do it really; I think the Chairman ought to do it. I would like to invite you to sit in on the whole of the estimates so you can get a picture of what has changed since you were the critic in 1971, 1972, 1973, 1974, and 1975.

Mr. Martel: My colleague keeps me advised daily. He gives me a running account.

Hon. Mr. Norton: And you can still say nothing has ever changed?

Mr. Martel: So little has changed—

Hon. Mr. Norton: He is not advising you very accurately.

Mr. Martel: Oh, God. No comfort allowance—

Mr. Blundy: I want to ask one question. How many single parent fathers are in receipt of family benefits assistance now?

Mr. Martel: Twenty.

Mr. Blundy: How long did it take them to get on? Was anything like the case of this guy Walker?

Hon. Mr. Norton: I am advised that at the moment there are only 13; several have graduated.

Mr. Martel: I was giving you credit for more.

Mr. Blundy: Seven graduated?

Hon. Mr. Norton: No, several, I said.

Mr. Alfieri: Nine graduated in September.

Hon. Mr. Norton: Nine in September.

Mr. Blundy: Did they have to go through the same awful, tortuous process as Walker did?

Hon. Mr. Norton: It depends on their circumstances. I would suggest some have experienced

relatively little difficulty when one reviews the facts of their cases. Some are more difficult than others.

Mr. Chairman: The committee will adjourn. I

should remind the committee we are meeting at one o'clock tomorrow instead of two, as printed in the Order Paper.

The committee adjourned at 6:03 p.m.

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Ontario

No. S-32

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Community and Social Services



Fourth Session, 31st Parliament

Wednesday, October 22, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

WEDNESDAY, OCTOBER 22, 1980

The committee met at 1:14 p.m. in committee room No.1.

ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES

(continued)

Mr. Chairman: I will call the committee to order. We are on vote 2902.

On vote 2902, adult services program:

Mr. Blundy: I do not know whether anyone has mentioned this before, but I would like to bring up this article that was in the *Globe and Mail* regarding social workers in the out-of-town meeting and their objections to it. I would like to know, Mr. Minister, why you would do that sort of thing, why it would be necessary to go away and spend \$35,000.

You will say that \$35,000 is not very much, but I would presume \$35,000 does look like quite a lot to a recipient of family benefits allowance or general welfare assistance. It would seem to me that is an unnecessary expenditure.

People are always saying, "It's so difficult to cut back," and I agree; it is very difficult to cut back in a ministry such as yours where there is so much money going out for logical and reasoned services. But this does seem a situation that is, to say the least, unnecessary and perhaps ill-advised.

I would like to have your comments on that. It seems to me unnecessary.

Hon. Mr. Norton: Mr. Chairman, unfortunately I do not have the precise details in front of me at the moment, although I think I can recall them, in terms of figures and numbers of individuals involved and so on.

In round figures I believe that involved approximately 200 individuals who were in the process of being retrained and the total program of retraining covered a period of about three weeks.

There were two parts to the training program, one of which was done, I think, in a session of six days. They managed to get for that purpose some facilities at Ontario Place because the facilities in any of the other government buildings around Queen's Park were not available for the necessary length of time and with the necessary consistency to conduct the program at Queen's Park.

For the balance of some four days, I think it was, because of the length of the sessions and the fact that evening sessions were involved, they had to seek other accommodation. Some 24 sites were examined, most of them within Toronto.

Again, they really could have used some of the government facilities for some of that, but none was available with the consistency and during the time frame that was necessary. Of the 24 possible locations that were examined, I believe it turned out that there were two available on the basis that was required. One was in the Pickering area and the other in Barrie.

The cost involved per individual for the meeting rooms and including accommodation, for those who stayed over in Barrie—some people did commute to their homes if they lived within a reasonable commuting distance—ended up being cheaper in Barrie than it would have been had they held it in any of the other facilities in the Toronto area, other than government buildings.

I can assure you, on the basis of the information I have received from our staff who were involved in the organization of the meeting, that one could convincingly argue it was cheaper to go to Barrie than it would be to hold it in rented facilities in Toronto on the same basis.

Mr. McClellan: When I worked for the ministry we used to meet at the Guild Inn, but those were the old days.

Hon. Mr. Norton: Actually I have had an occasional meeting out there myself. I think the Guild Inn was even one of the places that was looked at; I'm not sure of that though.

Mr. Blundy: I suppose everyone can justify anything they do—and I am sure your staff members have justified it in their eyes—but expenditures for something that is not really necessary gripe me. It is just like recently at home; the board of governors of Lambton College, and their spouses, all went to Glen Miller for a weekend.

1:20 p.m.

Mr. Chairman: That's in my riding, Mr. Blundy. That's a very nice spot.

Mr. Blundy: Yes, I know it's a nice spot. I was there once, but I paid my own way.

But that really went very badly in the eyes of the people. I am sure that this must also oil the fires of people who say, "Oh, government is making unnecessary expenditures," and so forth. The whole trouble as far as you are concerned is that it came out in the paper. Otherwise, it would have been a great jaunt.

Hon. Mr. Norton: That's unfair, Mr. Chairman. I want to reiterate that this was not a jaunt.

This was not the kind of situation where people were going away for a few days with their spouses. They were working sessions, including evening sessions, which is why the decision was made to provide for those staff who could not stay over, to avoid having to drive back to their homes late at night and then back early in the morning.

To try to cast this in the light of an unnecessary junket—I might suggest, Mr. Chairman, that it is not like some of the committees of our Legislature—

Mr. Blundy: Touché.

Hon. Mr. Norton: I trust, Mr. Blundy, that you have never gone on a junket with a committee of this Legislature.

Mr. Blundy: No, I haven't yet, as a matter of fact.

Hon. Mr. Norton: Does that suggest you just haven't had the opportunity?

Mr. Blundy: No, the company law committee is in Vancouver right now.

Hon. Mr. Norton: And I am sure that is an absolutely essential visit to the convention of the directors of insurance or whatever it is.

Mr. Bounsall: You're hardlining it more than Claire Hoy is?

Hon. Mr. Norton: No, honest. I just wanted to put this in perspective.

Mr. McClellan: I am glad he is not talking about the Ombudsman committee.

Hon. Mr. Norton: This was clearly a working session. It was a training session. It was necessary in terms of equipping the staff to take over the new responsibilities they will have in the next phase of decentralizing the operation of the ministry.

For example, I believe this involved field workers who were going to be assuming responsibility for decisions relating to eligibility for family benefits at their level of responsibility; previously they would send the applications to Yonge Street, to Mr. Alfieri's operation and the decisions would be made there. So training was necessary.

There were additional responsibilities that they were being asked to assume and training was necessary.

Mr. Blundy: I am sure the training was. I am not questioning that.

Hon. Mr. Norton: If you feel there was a more economical alternative, I wish you would suggest it. I think I have here the list of all 24 places where accommodation was sought, the various prices that were available and, in some cases, if the facilities were available. I am satisfied with what the organizers of this educational program came up with. In fact, it may have been fortuitous that they had to go to Barrie, because I think they probably saved money by doing it.

Mr. Bounsall: The next cheapest tender though is in Florida.

Mr. Blundy: Right. That's for January though.

Hon. Mr. Norton: That is only if the minister is taken along. That's got to be it.

Mr. McClellan: And the committee.

Hon. Mr. Norton: Mr. Blundy, if you want further details on it, I would be glad to give them to you. But I think that was not a waste of money. It was necessary to expend money for the training program.

Training is provided for in our budget to ensure that the staff is trained. Mr. McClellan indicates that even back when he was an employee of the ministry, they had training sessions. I want to point out that the place Mr. McClellan used to go to was rejected because it is too expensive for us these days.

I might say that the local member involved and a member for a neighbouring riding have gone out of their way to comment that they were pleased not all of the training money of the government is being spent in Toronto; that it is rather nice to have some of their local businesses benefit a little bit from the expenditures of this.

Mr. Blundy: I probably would not have brought the matter up if you had gone to Sarnia.

Hon. Mr. Norton: I suspect not.

Mr. Watson: Where it hurts is when the chairman finds out that you are sending people to Sarnia instead of his riding.

Hon. Mr. Norton: We might have some training to do in southwestern Ontario. If you want to give us a list of good places down your way, we'll keep them in mind.

Mr. Watson: Yes, I can.

Mr. Chairman: Glen Miller.

Mr. Bounsall: The Blundy Motel.

Mr. Blundy: The next thing I want to bring up—and then I will let somebody else have a go

at it—I want to talk about rest homes, lodging homes, domiciliary care homes and so forth in Ontario.

I want to preface my comments by saying that I know some very fine rest homes in Ontario which have a clean and pleasant area and a good staff and everything else, but there are others that do not come up to that standard. The situation right now is that the Honourable Mrs. Birch continues to say the inspection of and the responsibility for rest homes falls within the jurisdiction of the local governments and not of the province, as she is quoted in that one article as saying.

The situation is now to the point where many people do not by choice go to a rest home, but because it is the last choice available, they do so.

What is the ministry going to do about rest homes? Is it just going to wash its hands of the situation and hope that the municipalities will try to inspect and regulate and control, which they are not doing now, to protect these people who, as a last resort, are in a rest home? And we are getting more and more of them throughout the province. Right here in Toronto I have visited a few of them and they are very, very questionable places. I would not want to have any relative of mine there.

When you consider the fact there are so few other areas of accommodation for many elderly people, I believe that this is going to have to be looked at and I would like to hear what the minister has to say about it.

Hon. Mr. Norton: I can assure you that we are looking at it. In fact, three ministries plus the secretariat at staff level have been working on some recommendations which will shortly be considered by myself and my colleagues.

We would like to find ways to assist the municipalities. At the present time they do have the authority to provide inspections—for example, physical plant inspection, things like fire safety, local health units can inspect for health purposes. A number of municipalities do have municipal bylaws that provide for specific standards in terms of residential accommodation generally, including not just rest homes but boarding and lodging houses and so on.

I think the one thing which at this point we do not wish to do is get into a province-wide inspection network like we have for, say, homes for the aged or nursing homes, but we would like to find some way to assist the municipalities so the concerns that have been expressed may be allayed and the standards, which are low in some instances, can be brought up to an acceptable standard.

Mr. Blundy: There is a ministerial group or

someone in the combined ministries who are studying this situation now, is that correct?

Hon. Mr. Norton: Yes, in fact I think that is now completed. It is at the point of some recommendations being brought forward from that.

Mr. Blundy: But you have no intention at this time to regulate them or to license them or anything of this nature?

1:30 p.m.

Hon. Mr. Norton: That is not our intention at the moment. We are not doing that and I think at this point we would prefer not to get into a sort of province-wide licensing exercise with respect to these facilities but to find another way of doing it.

In fact, the most recent report we have received from Metropolitan Toronto has some suggestions that are relevant in terms of the municipality beefing up its part of the operation and making certain requests of the province to assist in that. That is a move, I think, from some of the earlier requests that basically wanted the province to legislate, regulate, investigate, supervise, et cetera. I think some reasonable approach can be found.

Mr. Blundy: In the major cities and fair-sized cities of Ontario I can see that might work, but you know as well as I many of the rest homes in our province are in very small communities. I know there are more in the county in which I live than there are in the city of Sarnia. They seem to be in the smaller villages and towns. These municipalities certainly lack not only the staff but the knowledge and so on for carrying out anything this important, in my view. I do not think it can be left to that size of municipality.

The city of Toronto and the city of London and places like that would have no problem, I am sure, it could be accomplished, but in little places like Wyoming, Petrolia and Forest in my county they have no staff to look after these things.

Hon. Mr. Norton: I think your concern is a valid one and that is one thing that I think we have to try to address with the municipalities, or find ways in which that can be accomplished.

Mr. Blundy: But your ministry has no other plans for improving the care of elderly and infirm people by approving of the rest home route at this time.

Hon. Mr. Norton: I am not sure what you mean by approving of the route.

Mr. Blundy: When I say approving I mean licensing and regulating. You cannot just say, "Okay, Joe, it is all right, I approve of you opening one." You have got to follow it up.

Hon. Mr. Norton: That, as I say, is not the preferred alternative at this point. I do not know whether you are not hearing what I am saying but I am trying to say that I think there are alternatives for achieving the same objective.

Mr. Blundy: I do not really believe there are, I do not know how you can say that.

Hon. Mr. Norton: I can accept that you believe that.

Mr. McClellan: What are the alternatives?

Hon. Mr. Norton: I will be in a better position to discuss those, perhaps, in the next few weeks.

Mr. McClellan: You will be talking about an expansion of municipal and charitable homes for the aged? Or is that not what you are—

Hon. Mr. Norton: No, we were referring specifically to rest homes at this point.

Mr. O'Neil: We have a home for the aged in Belleville, Hastings Manor. About a year ago there was quite a kerfuffle there when an inspection team went in and found quite a few things that needed to be repaired and looked after.

How do you determine whether these homes are inspected on a regular basis? Is it by your ministry or the Ministry of Health?

Hon. Mr. Norton: The homes for the aged are inspected by our staff.

Mr. O'Neil: In this particular case there was quite a bit that needed to be done and I just wondered whether you inspect on a regular basis or just when it is called for. How do things like this come about?

Hon. Mr. Norton: I cannot give you the details of the inspections. Perhaps Mr. Anderson can.

Mr. Anderson: They are routine inspections. They are not regular in the sense that they can be anticipated at any particular interval but as conditions are noted.

We have consultants on ageing in each of our areas and as these people go around to the homes they observe the conditions. They may make recommendations on their own or from time to time they may recommend that a group of staff, which might consist of nursing consultants, fire inspectors and dietary inspectors, go in from the central support operation and do a complete review of that particular home.

We would have people from capital services in the admin side help us with that as well and they might provide a comprehensive report.

On other occasions it is requested by the board of administration of the home. A county may consider it has a particular problem that could include the total administration and may ask us to send in a review team. We would provide a report on that basis. The report can be related

strictly to fire and safety, or it can be more comprehensive, depending on what is recommended by the program consultant for that particular area.

Mr. O'Neil: Has that particular home been reviewed and inspected since that occasion?

Mr. Anderson: I think there has been a follow-up since that review took place. We had a report just recently on those items that had been upgraded.

If my recollection is correct, the review of that home ran all the way from the condition of the front lawn through to more important things related to improvement of the kitchen. Some would require that we also approve cost sharing in the funds for the upgrading of a particular item. Those were sometimes worked out in our budgetary discussions as well.

Mr. O'Neil: What is the cost sharing on this particular home between the county and the ministry?

Mr. Anderson: The cost sharing is 70 per cent provincial and 30 per cent municipal on that portion of the operation which exceeds the contributions of the residents. So it is not actually 70-30 on the cost of the total operation. It is just on the deficit after the contributions of the residents.

Mr. O'Neil: Are you finding any cases across the province in which, because of cutbacks or high municipal expenses, the municipalities are cutting back on work that should be done in the institutions, rather than raising taxes any higher than they are?

Hon. Mr. Norton: Certainly we try to provide in our own budget for essential minor capital work to be done in terms of repairs to buildings. I know of some requests with regard to facilities which were built in the 1950s, or perhaps a little later than that, for conversion of rooms constructed for occupancy by four to occupancy by two, and of some things which are more costly and are waiting.

In a few cases where they had been waiting for some time, we managed to provide the authority to proceed. But, generally speaking, most of the funding that has been available has been for what we would describe as minor, not major, capital reconstruction or new construction.

Mr. O'Neil: In other words, you may be willing to pay 70 per cent for the work to be done but the municipality may not have enough money to pay the remaining 30 per cent. It may be that the work at the home in question was not done because of the lack of funds for certain capital projects.

Hon. Mr. Norton: I am not personally aware of any situation where that has been given as a reason. I do not know if the staff know of any.

Mr. Carman: I think this occurs more frequently around certain recommendations of the public inspection review panels. As you know, they also inspect these facilities and from time to time they make recommendations about what I would describe as desirable changes but which perhaps do not affect the operating efficiency or the safety, fire or otherwise, of the building.

In the formal replies that have gone back to the Ministry of the Attorney General and which are shared with the public inspection review panels and the municipalities, we have had to indicate from time to time that some of those suggested desirable alterations cannot be fitted in because of the current budgetary situation. But, invariably, when they are matters that affect the safety of the inhabitants the ministry acts on them. Almost all our replies in such cases are that these matters are being attended to immediately.

1:40 p.m.

Mr. O'Neil: Yesterday I asked for a sort of update on the Picton situation. I wonder if I could also ask the ministry to supply me with an update on the Hastings county home in order to see if the work has kept pace with the recommendations.

Hon. Mr. Norton: I think I could get that to you.

Mr. Blundy: On the heels of my discussion about rest homes, I wanted to comment on the homes for the aged and the fact the actual number of beds available in Ontario has been reduced. At the end of 1979 there were 54 fewer beds than there were in December 1977. I would like the minister to tell us what he sees in long-range planning for homes for the aged, the kind of commitment he has to that.

Hon. Mr. Norton: I have asked the staff to develop a projection for the need for homes to accommodate the aged in the province in the longer term. I do not have that information at this point.

Two or three things are clear. The proportion of our population that is elderly is increasing. Also, the characteristics of a home for the aged have changed substantially over the last number of years. The levels of care required by the residents has increased. For example, the proportion of residents requiring extended care has grown substantially, as well as the numbers of people who require what we refer to as "residential care."

In other words, the ratio of ambulatory eld-

erly people has declined. More of those people are choosing to go into Ontario Housing apartments and other types of housing that are alternatives which were not available when many of the homes for the aged were constructed.

Also, with the Ministry of Health we are looking at ways to rationalize the bed situation. In the report that was recently released by the Hospital Council of Metropolitan Toronto—I cannot verify their specific figures, but it has been clear to us for some time that the way in which people are admitted to some of the facilities, whether it be a home for the aged, a nursing home, or a chronic care hospital, and the assessments that were made were sometimes not appropriate. The individuals may be in a situation where they required a higher level of care than that particular facility was equipped to provide, or, in some instances, could function well in a lower level of care than the facility they were in was geared to provide.

We are trying to rationalize that. Also, in terms of just speculating about longer-term patients, as the characteristics of homes for the aged change and as they become, in some instances, more like nursing homes, I personally think that either we have to build better bridges between the programs of the Ministry of Health and my ministry which serve that group of elderly people, or perhaps have the programs move so they are both within the same ministry and under the same administration and operated perhaps on the same principles.

That is not a decision that has been taken. I toss that out as one of the ways in which I think the overall administration of residential services for the elderly might be improved. It might also facilitate better and more consistent admission policies and assessment of residents' needs. I do not know whether that answers your question or not.

Mr. Blundy: The thing that really bothers me, Mr. Minister, is that we are all fully aware that the number of elderly, the seniors, is growing every year—has been for the last few years—and will continue to grow, and yet we have fewer homes-for-the-aged beds now than we had in 1977. Then you point out there may be other ways to move.

In my municipality, Marshall Gowland Manor is one of the finest homes for the aged in the province of Ontario; I would stack it against any place. It is beautiful. When it was built when I was mayor, there were mostly ambulatory people in it. The special-care bed area is growing every time I go there. This is the need. I see it happening.

You are not building any more beds, or at

least you have fewer beds than you had in 1977, so what is your response to the need? The Minister of Health (Mr. Timbrell) is not giving any more permits for nursing homes in our area anyway. I know three people who would just love to build another 50 or 60 rooms on their homes and they are not able to get permits. So that avenue is closed.

The rest homes of which I have just spoken are really a nothing in the eyes of the Ministry of Community and Social Services because you do not have responsibility for them.

Just to give you some idea what people have been faced with in some areas, just this last weekend a man came to see me about his father-in-law and mother-in-law. His father-in-law is 89 years old. The mother-in-law is 86 years old. They have lived all their lives in a lovely little cottage down in Corunna and are now there by themselves. They just cannot stay there any more; they are not able to look after themselves.

So the man came to me and said, "What am I going to do with my mother- and father-in-law?"

I said, "Go to the community placement services and they will see that your mother- and father-in-law get into a place."

"Oh, I have been there two or three times," he said. "There are no beds available for them in nursing homes. There are no beds available for them in the two homes for the aged in whose area they would be, Marshall Gowland Manor and Lambton Twilight Haven—there are no beds there. They cannot get into a nursing home, as I said before, so what are we going to do with them?"

I said I would check it out.

I went to the lady at the community placement services—and she was just wonderful and co-operative—to check and see if what he was saying was true. Well, absolutely true. "We have no place at all to put Mr. and Mrs. Purves." That was the answer I got on Saturday.

That is unacceptable to me. I think we have more responsibility to the elderly people of the province than that. That is the situation as of last Saturday in my municipality, including Lambton.

Hon. Mr. Norton: What level of care does this elderly couple require?

Mr. Blundy: I think that the lady requires no nursing care, as I understand it. The man has some kind of sore on his mouth and may require some nursing care, but up until now that has been provided by the visiting nurse. However, Mrs. Purves is not able to continue to look after the house, herself and her husband.

Hon. Mr. Norton: Would it be a situation where they would be able to carry on with some home support service in addition to the visiting nurse? Are those services available in that particular municipality?

Mr. Blundy: In Sarnia we have home support, homemaker services. Whether they do in Corunna is what I am asking my constituency office girl to look into for them at the moment, as a stopgap anyway.

1:50 p.m.

Hon. Mr. Norton: As a stopgap or perhaps more importantly if their needs are as you described them. I realize this is a very brief description.

With that kind of assistance they might well be able to carry on in their homes for some time. My grandmother, who is 92, only recently moved into a home for the aged. She had been living all on her own and looking after herself until that point.

Mr. Blundy: I am sure we will work out something for this couple, but the question I am asking you is a much bigger question than that. That is just one case I had to deal with on Friday when I got home. There must be so many like that.

You are not building any more beds and we are getting more elderly people. That makes an equation that works out to need, in my opinion. That is the question I am asking: What is the long-term commitment in this field?

Hon. Mr. Norton: I have already indicated to you what we are working on at the moment. I would also point out the expansion of nursing home beds was announced in the throne speech and the first phase was further announced by the Minister of Health last week.

I do not think a nursing home would necessarily be an appropriate place for the people you have described because they do not seem to require nursing care.

Mr. Blundy: They need something in between. They do not need that yet.

Hon. Mr. Norton: Have you explored the possibility of an Ontario Housing Corporation apartment unit? Would that be easier for them to function in at the present time? If they are both ambulatory and as long as they did not have the burden—

Mr. Blundy: I did not explore that in the case of this couple because I had previously been trying to get somebody into one and there were no vacancies.

We are going to have quite a little problem on our hands as these people become elderly and

no more beds become available. I realize there is a promise of more nursing home beds but that has not yet matured into a fact. It is a problem every one of us is facing as a member of the Legislature.

Of course, we are just trying to help. Think of the families of the people, of their involvement and how they feel about it.

Hon. Mr. Norton: Are these people now on a waiting list at the home for the aged?

Mr. Blundy: Oh, yes. I have seen to that and I have also talked to the community placement service to see if they could give them some priority and so forth.

Hon. Mr. Norton: One problem is that regardless of the rate of construction of new facilities in the future, it is very difficult to build so you always have vacancies.

Mr. Blundy: I realize that. Even if you built 1,000 beds tomorrow—

Hon. Mr. Norton: I was going to ask about the reference to the cutting of the beds. I do not know what—

Mr. McClellan: Page 62 of the orange book in 1977-78. I raised this in the House. In 1977-78, there were 28,234 beds. In 1980-81, there are 28,032.

Mr. Blundy: That is where I got the 54 less.

Mr. McClellan: I calculated it as 202.

Mr. Blundy: Is it? Maybe I am not reading the same figures. It's a combination of homes for the aged—

Mr. McClellan: I used the combination of municipal homes and charitable homes.

Hon. Mr. Norton: Mr. Anderson points out that may well be a combination of two things. One is the fact, as I mentioned earlier, some homes have chosen to convert from four-bed rooms to two-bed rooms, which would have had the effect in some instances of a net reduction in the number of available beds in that home.

The other thing that might be a contributing factor is Marianhill, a home for the aged in Pembroke operated by the Grey Sisters. They have a very old facility which has been of concern to us and to them for some time in terms of fire safety, and so on. It is a very old building. They are in the process of constructing a new home for the aged.

At the same time, they are converting some of their home for the aged beds to nursing home beds. They will be running both a nursing home and a home for the aged. In that situation, there is a reduction of the number of beds that are classified as home for the aged beds but there

will be an expansion in the area of nursing home beds.

The figures obviously do not reveal all of those things.

Mr. McClellan: I am sure there is an explanation, but the fact remains there are fewer beds in 1980-81 than there were in 1977-78. You can give all the explanations in the world, that will not change that fact. That is a simple reality. You could add in a third factor.

Mr. Blundy: I am not going to quibble over how many homes for the aged beds there are, but in my area of Sarnia and out into the country I know well what is available and there is nothing empty at the moment. If some poor soul dies there will be a bed available, but at the moment there is none. People come to me and say, "What are we going to do?" They are stymied by it.

There are three commercial nursing homes there that would be only too happy to build beds. As a matter of fact, the manager of one of them was telling me they just took \$3 million down to Texas and built beds there because they could not do so here.

Hon. Mr. Norton: Have you spoken to the Minister of Health or do you know if this individual has spoken to the minister or the ministry about—

Mr. Blundy: I have spoken to the Minister of Health, but I intend to speak to him again, of course. I think I can document the need for him.

When I look at the need, I look at it in both Sarnia and Lambton because the people flow back and forth over the borders. Two of the homes for the aged and some of the nursing homes are in Lambton. We have to look at it in that way, not just Sarnia but Sarnia-Lambton. I intend to speak to him about it.

While I am going to do that, that is not letting you off the hook either. There is a responsibility.

Hon. Mr. Norton: I did not expect you would.

Mr. Blundy: Your ministry has a responsibility in this regard as well.

Hon. Mr. Norton: Just as an indication of the problem, for example, of making sure of the right distribution of beds across the province, even though you say there are 54 fewer net beds—

Mr. McClellan: It is 202 according to your own book.

Hon. Mr. Norton: Well, I do not know. At the same time, I would point out that across the system they have at the moment at least 250 vacancies. They are obviously not in the right places because we do not have a vacancy in your community.

Mr. Blundy: I think our district health council has a good handle on the situation. I am quite sure they have.

Hon. Mr. Norton: Have they made recommendations to the Minister of Health with respect to nursing homes?

Mr. Blundy: Not that I have seen, but I will be checking it out with them.

Mr. Chairman: Mr. Blundy, would it be possible to come back to you? Dr. Bounsall has a meeting at two o'clock and wishes to raise an issue. Perhaps I could go to him and then come back to you if that would be acceptable.

Mr. Blundy: Yes, quite acceptable.

Mr. Bounsall: I will try to be as brief as possible but there is one area I would really like to find out about in detail. That is whether the ministry has a particular attitude or policy towards the collection of support and alimony back payments from persons, usually men, who have fled the Ontario jurisdiction.

I would hazard, from what I have seen, that you must have a policy not to bother at all to collect back payments from men who have fled the Ontario jurisdiction. If that is not the case, I am going to outline a case that seems incredible, a situation led to by the steps you have not taken.

Hon. Mr. Norton: I do not mean to get you off track but I might say I have a constituent who has fled. He fled to Windsor and I am hoping catch him down there.

2 p.m.

Mr. McClellan: Speak to the Attorney General (Mr. McMurtry) about this nonsense.

Hon. Mr. Norton: I have, and again and again.

Mr. Bounsall: If you need any persons to help track a person down, the address, the date, we will be happy to do that.

We have a problem in Windsor of men who work in the auto industry in particular, but not just in the auto industry, who manage to get a job offer in Detroit. Unbeknownst to their families and what have you they make all the necessary visa applications and simply disappear from home. Anywhere from four days to six months later, the family finally is called by the deserting man to say: "I'm over here in Detroit. Ha, ha, you will never catch me. You will never make me make the payments."

Their families are on family benefits almost immediately or as soon as they can get on and the province is paying out. We have a reciprocal agreement with Michigan that is very cumbersome, but finally the support payments go through

the provincial court. They are sent to the Attorney General who then contacts his counterpart in Michigan and finally Michigan gets them into courts in Michigan and the support payments are upheld.

Of course, then they change addresses and one has to go through the search again. This finally works its way out and one finally gets some payments after the case crosses the border to the courts. These get passed along to the ministry and the family benefits continue to flow to the persons involved.

I have one case, Mary Lou Cooper, whose husband Gerald pulled the routine I mentioned. By the time they got him into court and got the regular payments flowing, all of which came to your ministry, there was \$8,000 owing in back payments.

About two years ago, Mary Lou Cooper was able to determine that he received an inheritance which was about three times the amount of that \$8,000 in back payments. That is when she contacted the legal department of your ministry to say, "Go into the Michigan courts and get that back payment." The reciprocal enforcement branch of the Ministry of the Attorney General urged your ministry to do so, as I did at the time.

This was no case of his not having money to pay it. He had lump sum amounts of money to pay it. She acted on her own initiative, being very interested in this. One doesn't often get a deserted wife on mother's allowance being willing to go through all the detailed work that Mrs. Cooper went through to help in this regard.

Bear in mind that of this \$8,000 back payment not a penny would come to her. It would all go to the ministry to make up for the mother's allowance payments. This was your money that was being returned here.

When one of the initial answers that came back was there was difficulty finding a lawyer who would take the case, she went in and dug up her own lawyer in the United States who would do it on a percentage basis, a very small percentage. You were not going to be out of pocket by her doing so.

All the documentation re the support was provided. One did not have to take Mrs. Cooper's word or my word on the case. The worker in the local Community and Social Services office also was providing information, on her own initiative I might say.

Finally, a letter arrived this summer, around two years later, saying you were not going to do it. Incredibly, it said in the letter that you had already spent \$2,000 in the ministry on legal costs on this case.

For one thing, I would like to know where in

heck the ministry dug up 2,000 bucks worth of legal costs. It did nothing in court work. The case was sent over to them from documents that Mrs. Cooper sent, from documents which the reciprocal enforcement branch of the Ministry of the Attorney General sent forward and documents which your own local branch sent forward. This meant there was virtually no checking to do. The names of the lawyers willing to go into the Michigan court were provided.

The evidence was very clear that the person, at least two years ago, had lump sum amounts from which that \$8,000 could easily have been collected. Yet, two years later it ends up like this, and with a mysterious \$2,000 legal cost to the ministry.

Now I don't know where you would get a more clearcut case of having everything necessary: addresses were clear, addresses were kept track of; there was evidence of being able to pay when you got it into court, so that could not be an argument; there was a lawyer willing to take it in—you didn't have to make a search somewhere in Michigan for a qualified lawyer to go in and take it.

You had the friend of the court, Mrs. Cooper, and myself, from time to time, who would be dealing with this, being extremely sympathetic to the fight over the years to get those operating moneys going, willing and able to assist and to testify. You had everything going for you in this case and it appears that what you have done finally is simply shrug your shoulders.

We have a lawyer who is willing to go into court and if you got all of the \$8,000 his fee would be something like \$1,500 or \$2,000. The documentation was forwarded in black and white. I didn't have that piece of documentation but I understand it was forwarded. And Mrs. Cooper is very careful with her paperwork. I have a very thick file of photocopies of the correspondence that has taken place and I know that document went forward. Or, if it was not a document you certainly had a very clear letter, with name, address, phone number and everything else, about the lawyer who is willing to take the case on that basis.

From time to time you certainly had phone calls at least, and I have seen a copy of one piece of correspondence which accompanied the documentation sent over to your legal staff by the reciprocal enforcement branch of the Attorney General.

With all that going for you, why on earth did you not just charge in and do it? In many cases, you simply would not have that sort of detailed help from the spouse here in Ontario. In terms of evidence, in terms of finding the lawyer—and

that was one of the responses way back early on. I can't quite remember how it was worded but it came back to a difficulty in finding a lawyer to take the case in Michigan, a case of "We don't have a representative who can go before the bar over there." She found one for the ministry.

And yet nothing happens. "Nothing" being the decision made not to go ahead. For one thing, I can't see why the ministry is not interested, which is what it turns out to be, in having at least \$6,000 back in the kitty. And, working on a percentage basis, if you lose totally in that court, you are no money out of pocket.

Hon. Mr. Norton: I am not familiar with the particular case you are referring to. I don't know whether Mr. Alfieri is or not. I think he recognizes it.

But just to make it clear that we are not, generally speaking, ignoring the arrears, it's our hope, with the addition of some new parental support workers for which we now have the authority—I don't know whether they are on the board yet or not—one of the results will be more effective collection of arrears, at least in Ontario. They will not be working outside of this jurisdiction, of course.

Mr. Bounsall: That is why I asked what your policy was out of jurisdiction.

Hon. Mr. Norton: Aside from the co-operation that you described in the case you have talked of, the effectiveness of collecting outside the jurisdiction is generally frustrating. I know the difficulties we have had with some specific cases that I have been involved with, in terms of my own constituents.

For example, in one case a fellow was in the military. We didn't have too much trouble tracking him down, but it seemed that every time the court in the jurisdiction got ready to move, the military posted him to another province. I do not know whether it was because he had an arrangement with the commander on his posting or not. In one case the commander refused to co-operate and I ended up ultimately corresponding with the Minister of National Defence to see if I could get his assistance to pursue it.

2:10 p.m.

Mr. McClellan: You are repeating yourself.

Hon. Mr. Norton: Yes, I think I made reference to that at one point, did I not? Was that this year?

Mr. McClellan: I think it was last week.

Hon. Mr. Norton: I have been around too long.

Mr. Bounsall: They are not easy, and I have probably had more experience, because of the

border situation and the jurisdictional problem, than you have.

If I could just add an aside here, we have something which is working pretty well. I do not know why, but it seems to take six months from the time the court in Windsor sends the documents to the Attorney General for them to find their way from him over to Lansing and back to the appropriate court jurisdiction in Detroit or Wayne county.

I have a very simple thing worked out. The friend of the court who does the enforcement of those sorts of things in Michigan, when they finally hear from Lansing and Ontario, is willing to take the case the moment I send him a photostatic copy of the order from the provincial court. He simply goes right in and starts it and concludes the case before the documentation even catches up.

So we have it working over there now in that way, which is a nice, short circuit. In fact, I send him any case in Michigan, not just from the Wayne county court, and he will determine which court jurisdiction it is, if it is outside of Wayne county, and send those papers to them.

Hon. Mr. Norton: Are your services available as an agent generally for the ministry? It seems like a pretty effective operation.

Mr. Bounsall: I just deal with Michigan. It has taken some time but I must admit the persistence of Mary Lou Cooper, working in a very organized, detailed way, has allowed some of this to take place.

Hon. Mr. Norton: Perhaps Mr. Alfieri has some comments he would like to add.

Mr. Bounsall: And then you will not pursue it finally.

Hon. Mr. Norton: I do not know how it arrives at that point but Mr. Alfieri may be able to help us.

Mr. Alfieri: Mr. Chairman, there is one case I think we corresponded on, assuming that this is the same one, and I do not recollect the details fully, but we did try very hard to recover the arrears in that particular situation.

Mr. Bounsall: But it did not go into court.

Mr. Alfieri: The ministry hired a solicitor to look into the matter and attempted to do so and the reply the legal services branch got, which was subsequently submitted to me, was that to carry the case to its conclusion would cost a heck of a lot more money and there was very little guarantee of success due to the nuances of the law in that particular case.

I do not know the full details but I would be happy to provide them to Mr. Bounsall. But the

advice we got was that it was not worth proceeding with and spending additional funds on because of the apparently small chance of success in that particular case. I do not remember the legal implications of it but it had something to do with the law.

Mr. Bounsall: When you review that case, and I suggest you review it very quickly, take into account two facts. The friend of the court over there does not think it is a weak case, bearing in mind the inheritance that is there, although two years have gone by now. He is the person who prosecutes on behalf of the Attorney General's department, at least on the ongoing regular payment, and is willing to co-operate in any way with this case.

Secondly, why did you go out and hire a solicitor over there when you had an offer of someone who would do it on a percentage basis? As far as I know, the ministry did not phone Mrs. Cooper to ask for any information about this lawyer who would take the case for her, neither did they ever contact him, but went out and got somebody else.

Mr. Alfieri: The case, as I indicated, is over two years old, so I cannot speak today as to the reasons why a solicitor was hired as opposed to taking another course of action.

Mr. Bounsall: A cheaper course of action.

Mr. Alfieri: Yes, a cheaper course of action.

Mr. Bounsall: One which would not have put you out of pocket.

Mr. Alfieri: In relation to the conclusion of the matter, the best legal advice we could get was that it was not worth sending good money after bad because the chances of collecting that money in this particular case were very, very slim. This was the reason we elected to stop the action.

I will be very happy to get the details and discuss them fully.

Mr. Bounsall: Could I make one suggestion? You say you have some additional workers to work in the field of enforcement?

Hon. Mr. Norton: Parental support workers who would be attached to the courts.

Mr. Bounsall: Okay. You do not have too many jurisdictions with which you have reciprocal agreements to which very many men flee. It might be worth your ministry—because these back collections by and large come to you; at least you have enough cases in which they would come to you—finding one legal person in each of these jurisdictions who is keen to take the case, at least in the American jurisdictions where they work on a percentage basis, to do it on that

basis. Find one legal person, keen to take the case, knowledgeable of this kind of case, who is willing to work on the percentage basis, and put them all through that person.

It certainly sounds as though the ministry got a person who does not work on that basis or they would not have tendered the advice that there was no merit in the case. One example is the case of a woman who was persisting all on her own, with whatever help she could get along the way, myself included, but you are not going to have always that kind of case.

I am sure you must have all kinds of cases where you finally have month-by-month payments coming through, where there are considerable amounts of back payments because of the time involved in getting to the point where you get the normal payments coming through, which would justify having one person in that jurisdiction who would pursue those cases for you. It would be worth it financially to the ministry, let alone being the proper thing to do.

Hon. Mr Norton: It certainly would if it were possible to do it, as it would be done in the United States, on a percentage of recovery. In Canada that arrangement would generally not be available. There may be some alternatives we could consider, I do not know.

Mr. Bounsall: I am talking about those cases that are in the States. They mainly flee to New York, Michigan, Illinois and California. It would be a case of having maybe four people willing to go into court in those four jurisdictions on that basis for you. But you have to take some initiative in this to do that.

Hon. Mr. Norton: Certainly I would be prepared to explore with the Attorney General some arrangement such as that. I do not know what other alternatives might be explored.

Mr. Bounsall: Let us put it this way. When the bottom line is the collection of back payments, the Attorney General says: "That is Community and Social Services' money. They are the ones who are interested. We are not going to go into court to assume a back payment all of which comes to ComSoc. They are the ones who should be involved in that." So if you go to the Attorney General the bottom line I think will be that answer: "It is your money you are collecting back. You should make the arrangements to go in and collect that. We are not going to." And that is reasonable.

This ministry, for all its faults, can accomplish something when it decides to do so. The Attorney General's ministry is a bit reflective of the whole legal system; they are pretty deliberate about things. They may decide to do something, it just

takes years for them to get it accomplished. I have a feeling that when your ministry decides to do something, in fact, you accomplish it. This would be the better ministry to have that legal pursuit take place.

Hon. Mr. Norton: I do not mean to nitpick, but I think that any recovered money goes into the consolidated revenue fund. It is six of one and half a dozen of the other, I guess; The Attorney General, as the chief law officer of the crown, might well act. The recovery would be on behalf of the whole government and the people of this province.

Mr. Bounsall: Of course, but they look at it as your money, money being paid out of your family benefits branch that is being collected back, and say that you certainly have the greater interest.

Hon. Mr. Norton: The Treasurer is the one who gives us the money and also collects from the others.

Mr. Bounsall: If you are going to take the attitude that the Treasurer should be interested or the Ministry of the Attorney General and not your ministry, we will never accomplish anything.

Hon. Mr. Norton: No, we are very interested, and I will explore ways in which we might have more effective enforcement, outside Canada particularly, and within Canada in other jurisdictions.

That is an issue which was discussed at the ministers' conference in Fredericton this year—in fact, last month. It is a matter of concern in every province, trying to improve the enforcement of orders that are owing to them from other provinces.

2:20 p.m.

Mr. Bounsall: If I can talk on that; I know you are quite interested in it because of how it affects you. We have to have in Canada some time soon the system they now have operating in the United States where they track down deserting husbands through their social security numbers.

They have a master computer now that records the social service number of every person who owes a support payment. Wherever they turn up in the United States and use their social insurance numbers in connection with their jobs, which they must, that can be found out through this computer system. They can readily track down where the person goes.

That is part of the problem; finding the person. We have nothing like that yet in Canada, neither do we have a commitment to do it.

It is a very common thing down our way now, except they are not going to Detroit to get a job,

they are going to Calgary. They keep their addresses hidden and there is no easy way of finding that person in Calgary. If we had the US system in place, and assume a person picks up a job in Calgary, within a couple of weeks at least his work address would be known and steps taken to get the support payments started again.

Because of the low level at which the courts hand out support payments, virtually all this money is a return in lieu of the family benefit payments, because usually the support payments granted by the courts are lower than the family benefit payment. This system is of benefit to the taxpayer and would have a great effect on the amounts of money paid out by your ministry if you could get a system such as they now have in the States operating in Canada. That is what's needed.

Hon. Mr. Norton: There is the direction taken both federally and, potentially, provincially in terms of this government's response to the report of the Commission on Freedom of Information and Individual Privacy. A lot of concern has been expressed about that kind of use of social insurance numbers. It is a situation we run into within our ministry in some instances when information is being requested by, in some cases, official agencies that are trying to locate individuals.

We do not give out that information on where they are located because we believe the information given to us by individuals is given with a degree of confidentiality. It is raised as an issue, but I think in this country the direction is different from allowing that sort of use of the social insurance number.

Mr. Bounsall: I understand the confidentiality problem and the difference in attitude taken. What it boils down to by taking that attitude is that we in Canada and in Ontario are absolutely not serious in any mechanistic way about tracking down the deserting spouse and in seeing that spouse supports his children. We are not serious in any mechanistic way of putting something in place which allows that to occur.

Hon. Mr. Norton: I hope something can be done which would protect the privacy of the individual, not breach confidences and yet be available for the achievement of that end. For example, I am sure we cannot go to the Ontario Health Insurance Plan and try to locate someone, although OHIP may well have on its records an up-to-date address for an individual we would like to locate.

You were around at the time of the great debates on the confidentiality of that information in OHIP files. I do not think you want to

pretend it is not an issue that has been of great concern to the Ontario Legislature. Over the few years I have been here there was concern about that information.

Of course, the real concern extended primarily to medical information, to ensure that was protected, but as I recall it the concern expressed in the Legislature was broader in that it involved the availability of any of that kind of information through government records.

I am not taking any absolute position. I am just raising those as concerns that, if we were to proceed in that direction, I am sure would be expressed, not only by members of the Legislature but by civil liberties groups and so on.

Mr. Bounsall: The States made the decision that this may be used for support payments only, for tracking down those people who owe support payments.

Unless we do something like that we have consciously made the decision we will keep the support payment situation the way it is, which means any deserting spouse can chuckle his way to the next town. If he runs out of towns to chuckle to, he can go outside the province. You are never going to have an effective way of collecting that court order support payment. The ministry can continue to pay out those amounts on mother's allowance and family benefits.

Hon. Mr. Norton: I am not speaking against that. In fact, nationally in this country it could be as effective with the social insurance numbers as it is with the social security numbers in the States. All I am suggesting is I would anticipate that movement in that direction would not be without the expression of considerable concern.

Mr. Bounsall: Which side would you be on?

Hon. Mr. Norton: I would like to see a much more effective way of enforcement. If there were some way those numbers and those numbers alone could be used for no other information than perhaps location I think it would not be a serious breach of privacy.

Mr. Bounsall: I think it comes down to choosing. It is not a serious breach of privacy when you compare whatever breach of privacy that is with the fact the person has court-ordered support payments, for a spouse perhaps but certainly children. Our concern has to be on the side of support payments coming for the other spouse and the children.

Mr. Watson: Would you have that only for support payments? What argument do you give the fellow who has a bad debt with somebody and has a court order to collect?

Mr. Bounsall: They use this system only for

the family support payments. They do not use it for bad debt collection in the States, only for family support payments.

Mr. Watson: Even though in some regards they are both bad debts.

Mr. Bounsall: Yes, they limit it to the one.

Mr. Watson: Would there not be a danger in that system? If you started with family support there would be others who would say, "If it works for that, my debt is just as important."

Mr. Bounsall: I think they did run into some of that problem in the States. The States is a society that is, by and large, much more prone to complain about that sort of situation than we do here. They are able to achieve it in the States.

For example, you could not get a seatbelt law in any jurisdiction in the States. In places where they passed it they have had to reverse it because the Legislatures get ringed with cars and so on. Where they have tried it it has by and large been reversed.

It is much more of an affront, it appears, to their concept of society to have restrictive laws of that type passed than it is to ours in Canada. But they got that one passed and it is operating in the States.

One of the arguments they made on it was that kids and their support is a very important thing. They were not going to do it on anything else but that. The argument made was, "We find and feel that people and children are important and sufficiently important we are going to do that."

Mr. Watson: I can see, though, that there are some settlements which involve more than a court order—a sale of property which is a debt and thus payment stops on that.

2:30 p.m.

Mr. Bounsall: They usually have the property at hand. In the case of a divorce here, the property is at hand. In a divorce property division, if some of that property is outside the jurisdiction or outside the country, one runs into the same problem of how one divides that up. One cannot get one's hands on it.

One is mostly dealing with properties that are inside the province or at least inside Canada. If it is outside Canada, it is almost not worth considering in the divorce settlement if it involves having to force some sort of sale on it because one cannot do it.

Mr. Watson: All I am saying is there are other arrangements made where there is support which does not amount to a court order, but is a debt. In that position, one could argue the purpose of the money is for the kids. Just because they do

not have the right court order, I guess the other system would adjust to that and make sure that is the route they went.

Mr. Bounsall: I am glad to know you are arguing for both to be included in the Canadian system.

Mr. Watson: I am. I see problems in having just one.

Mr. Bounsall: You can persuade me to include the bad debts in this system, too. At the moment I would like the support payments included. You will have to convince me more that we should do this. I am willing to be convinced. I think the support payments are of paramount importance.

Mr. Watson: What about the situation before you get the person to court?

Mr. Bounsall: Do you mean, what about the interim support payments that have not been made because the court has not ordered it?

Mr. Watson: The fellow has left and they have not been able to get him to court to have support payments ordered.

Mr. Bounsall: Are you saying, what should the courts be doing?

Mr. Watson: No. You seem to be acquainted with the system in the States, I was just asking for information on it. Do they use the same system to find the people to bring them back to take them to court?

Mr. Bounsall: No, they operate on court-ordered support payments. It is court-ordered support payments they enforce by this system.

Mr. Chairman: Perhaps you gentlemen should recess to the hall and have a little discussion out there. I am not quite sure that it is entirely appropriate to have it in here.

Hon. Mr. Norton: I was quite enjoying it, I might say.

Mr. Chairman: Yes, I am sure. I know it is an interesting process, Mr. Watson, but I think perhaps you and Mr. Bounsall could quite profitably discuss the matter outside.

Mr. O'Neil: Before you go on, if you would not mind, I know both Mr. Blundy and the minister touched on something that I wanted to ask a question about and that concerns the in-between position. You were talking about homes for the aged or nursing homes and you were talking about how they may be living in an apartment or a house and they cannot carry on the way they are.

I had an occasion, like that in Mr. Blundy's riding, where there was a parent of somebody who lived in my riding looking for a sort of

in-between place where they could go and have an apartment where they would be supplied with, say, two meals a day with some sort of homemaking care.

I know we had a similar situation. These people had been to you from the city of Belleville; I believe it is the Quinte Living Centre. In this case it is a church that would be building the residence.

Is there any consideration by your ministry of looking into where private industry may be building an apartment and where it would be supplying services like this or where you would go in and supply services?

Hon. Mr. Norton: There are some such facilities in operation in the province at the present time.

When I met with the people from the Quinte Living Centre there were two components they were interested in pursuing. One was a more traditional model of a home for the aged and the other was in conjunction with an apartment complex which would be able to share the kitchen and dining facilities and some of the services.

Even though we had not, at that point, the capital to approve their proceeding with the home for the aged portion, we did, as I recall, encourage them to explore the apartment alternative with support services. To go that route there is, I believe, Canada Mortgage and Housing Corporation funding available and then we would participate in the support services.

I have also made that recommendation to several other centres, to encourage them to explore that possibility as well as an alternative which provides an intermediate level of support short of what would be available in a home for the aged.

Mr. O'Neil: What level of support is there now? I feel that this is a field where you are not asking the ministries of Health or Community and Social Services to build these things, you are going to get private enterprise to build them, and yet if you can come in in certain ways it is certainly going to be a reduced cost over a nursing home or other type of bed.

Hon. Mr. Norton: There are a variety of ways in which those can be approached. For example, the municipality could, with cost sharing from us, put in through their homemakers' service or perhaps some nursing service might be provided—very light nursing service would be required in that setting—by the Victorian Order of Nurses or the public health nurse, depending on what the expectations were. Then there could be facilities included that would provide for food services.

I think a pretty flexible approach could be

taken. The only ones I know of that are either in operation or have been proposed, have principally been, I think, charitable organizations and nonprofit—private in the sense that they are not government operated. In some cases they may be municipally operated.

Mr. Blundy: Currently I am looking into a Ukrainian Catholic Church building, 25 units beside their church. They put up the money but they would be going to Ontario Housing Corporation, as I understand it, for money for the units as well. The ladies of the church would then provide a sort of supervisory service for the residents in that building. That is one form.

There is another form I was telling you about, a strictly private enterprise. They have four or five apartment towers in one complex. One of the towers is devoted to what they call supervisory service or something like that, where elderly people can live in apartments, pay the going rate, and over and above that, pay for a woman to come and knock on the door in the morning and find out if Mrs. Jones is all right, bring her meals, come in and clean her apartment and do anything of that nature, all for a fee.

Those are two different kinds of things we are talking about.

Hon. Mr. Norton: There is one additional bit of information that is relevant to the area of discussion with Mr. Blundy particularly about the vacancy situation or the lack of vacancies. Our most recent data as of the end of the last quarter, which would be September, in terms of vacancies—and that would be as of that date and I realize the actual figure would be lower and some of those beds would be vacant because they were in transition, they may have been vacated and presumably others were about to move in—but on that particular date there were 1,185 vacancies across the province in homes for the aged.

Mr. R. F. Johnston: Residential care.

Hon. Mr. Norton: I do not have it broken down. Some of them would be, most of them probably would be. The ones that are consistently vacant are primarily residential care.

In the case of Marshall Gowland Manor, on that date they reported to us in their statistical report that they had four vacant beds on September 30 and no waiting list. I realize things can change in three weeks, I am not suggesting what they told you on the weekend was inaccurate. But it would appear from our information that if they have a waiting list now, it must be a fairly short one, since they did not have one as of September 30, according to our data, if that is accurate.

2:40 p.m.

Mr. Blundy: That was September 30?

Hon. Mr. Norton: Yes, and on that date, they had four vacancies. Those vacancies might have been vacancies which were about to be filled. They may have been filled on October 1, for example.

Mr. McClellan: Can you tell me, out of the 28,032 homes for the aged beds this year, how many of those are residential care beds and how many are extended care beds? Do you have that information?

Hon. Mr. Norton: I do not have it in my figures.

Mr. McClellan: I really wanted to pursue that subject. I can wait for the data and start again by expressing an honest concern about the apparent continuing disorganization in the network of senior citizen services in the province.

We have the 1975 interministry report on residential services which Mr. Anderson participated in writing, and yet virtually none of the problems that were identified in that report have been resolved, even the basic anomaly between the amount that it costs to keep a person in residential care as compared to the amount that people receive in pensions to stay in their own homes. Such costs are in the order of \$1,200 per person. That is the charge.

I do not know whether that is subsidized, but that is what Metro Toronto charges for residential care in one of the municipal homes for the aged. The minister knows that a Gains recipient receives less than half that amount to stay in their own home in the community. That, again, makes no sense.

Hon. Mr. Norton: I am sorry. What is the relationship between those two figures that you are trying to draw?

Mr. McClellan: The interministry report stated—I do not have it here, but I think I can remember the quote, without using the rhetoric—that it was absurd there should be such a differential between what it costs to keep somebody in an institutional facility at a level of decency and adequacy and what they were provided with by way of pensions in home support services in order to stay in their own homes in their own communities. That disparity has yet to be resolved.

I want again to express an honest concern about the number of bed cuts. The minister can make all the nice explanations that he wants. He gave two factors. He suggested two factors that would account for the loss of 202 homes for the aged beds during the course of the last three years. I could suggest another: the closure of Hilltop Acres in my constituency and the failure

of the ministry to provide capital funds to Metropolitan Toronto to replace that facility.

I have a concern when I look at the hospital council's report about the discombobulation within the system. One of the tables indicates the percentage and the number of patients who are in the wrong kind of care settings. Twenty-nine per cent of chronic care patients are in the wrong place; 24 per cent of extended care patients are in the wrong place. That is almost 2,000 people—1,935 people. Of residential care patients, 11.9 per cent are in the wrong place and 13.2 per cent of acute care patients are in the wrong place.

You have that kind of patently fraudulent statement that the Minister of Health made in the House trying to gloss over the reality of these very serious problems and these very serious shortfalls in the sheer numbers of beds needed. He attempted to gloss it over and said it was a concise response to many of the myths and much of the mischief. I would say that was a mischievous statement and serves merely to try to perpetuate his own set of myths about the reality of the crisis.

From firsthand experience this year I know a little bit about just how difficult it is to get services for the elderly in Metro Toronto and in another community in this province. I know a little bit first hand about some of the agony that families go through.

We have a report that tells us in 1980 there is a shortfall of 1,672 extended care beds, and the Minister of Health basically pooh-poohs it and says that is something that is required over five years, despite the fact that on page two of the hospital council report it states quite clearly that what the report is talking about, when it mentions 1,672 extended care beds, is the shortfall in 1980, right now.

If we look at page 62 of the resource book we find that the minister has managed to cut, in absolute terms, the number of beds. Perhaps Mr. Anderson or the minister can help me with the ratio of extended care beds to residential care beds. I would guess that one of the problems is the disproportionate number of residential care beds to extended care beds. Perhaps before I say anything more that could get cleared up.

Hon. Mr. Norton: Actually the numbers are not that far apart. It is almost a 50-50 split. The approved residential care beds total 14,904, according to these figures. I hope they add up to the same total as you have. The extended care beds, 13,064.

Mr. McClellan: No, it does not add up. It seems to be reasonably—

Hon. Mr. Norton: What was the total you were using? I do not have that.

Mr. McClellan: On page 62 of the orange program and resource summary, it lists the number of available beds in charitable homes for the aged and municipal homes for the aged. The total for each of the last two fiscal years is 28,032.

Hon. Mr. Norton: That totals to—that is what I am looking at.

Mr. McClellan: You are missing—however, let us not quibble about 50 or 60 beds. Obviously, if you have 1,185 homes for the aged vacancies—is that figure distributed equally between residential care beds and extended care beds?

Hon. Mr. Norton: I would doubt it very much. I would think it would be more heavily in the area of residential care.

Mr. McClellan: Everybody knows the need is for extended care beds and yet government does not seem to be doing anything about converting the residential care beds within homes for the aged to extended care beds so that some of the need could be met. You are sitting there with over 1,000 vacancies in residential care and we know that there is a tremendous need for extended care beds. There seems to be a kind of a complete paralysis in terms of anybody dealing with that or responding to it.

Mr. R. F. Johnston: How many beds have been converted in the homes for the aged from residential care to extended care beds? It strikes me, if my memory serves me correctly, that has always been about a 50 per cent split. That does not seem to represent a major growth. Is it or is it not?

Hon. Mr. Norton: It has grown slowly. I do not have the specific figures here. I do not know whether anyone has them.

I would like to point this out though. In terms of the homes for the aged, the provision of extended care there was not originally to admit persons requiring that level of care, but rather to provide a continuum of care for those who are already resident in a home for the aged. The persons who required that kind of care, because of the heavy health component were intended to be provided for through the nursing home system.

Mr. McClellan: That is part of the historical development. The other point that you have not mentioned—

Hon. Mr. Norton: And still is true in terms of admission.

2:50 p.m.

Mr. McClellan: Yes, I understand that. That is because the municipal homes for the aged

basically evolved out of what were, in effect, our version of poorhouses, so that Lambert Lodge in my riding, which was just torn down in 1975, was basically the poorhouse in the city of Toronto; it was a home for the indigent elderly. That is how that tradition started.

Hon. Mr. Norton: I think it sounds as if we are dismantling your riding with Hilltop Acres and—

Mr. R. F. Johnston: They are deindustrializing mine.

Mr. McClellan: You replaced Lambert Lodge with a very beautiful facility right across the street from it, Castleview Wychwood Towers, and for that I salute anybody who was involved. It is a magnificent facility and provides a magnificent service. But the municipal homes have evolved away from homes for the indigent elderly to facilities that are increasingly like nursing homes because of the development of other kinds of services. It is not all totally bleak in terms of pensions—

Mr. R. F. Johnston: Also because of the age of the residents now. What is the average age of the residents in our homes for aged now?

Hon. Mr. Norton: I think the average age of admission, according to my recollection, would be around 82.

Mr. R. F. Johnston: Yes. And it used to be 68.

Hon. Mr. Norton: Sure. In fact in those days—I can well remember within my lifetime when lots of people shortly after retirement at age 65, or whatever, would go into a home for the aged as a place of residence. But I think that has been changed in a variety of ways, not the least of which has been the growth over the last decade or so, more perhaps, of alternatives in terms of Ontario Housing units for senior citizens who might otherwise have moved into homes for the aged.

The fundamental home support services, I think, where they are available, have been a significant factor as well in helping people remain in their own homes.

Mr. McClellan: Precisely. But the major policy question facing the government now is whether residential care for the very old will be provided within private nursing homes or within a network of residential facilities under charitable auspices or municipal public auspices. I have an enormous concern that having identified the need for 1,672 extended care beds in Metropolitan Toronto alone, the government will proceed to distribute those among the private sector. I tell you that would be a real tragedy if that is the direction that is taken.

Just an example from my own riding, the city has assembled a tract of land on which the

Lambert housing development is being built. A parcel of that land was to be set aside for senior citizens' purposes.

What happened was that because of the absence of capital funding and because of a general discomobulation in the residential care system for the elderly, and the lack of any kind of planning or co-ordination around identifying and building for need, that land was given out to the private sector to build a nursing home.

Guess who got the contract in the first instance. Our friend the disappearing businessman who was running the downtown imported car business.

Hon. Mr. Norton: Oh.

Mr. McClellan: Yes, oh. The same gentleman who built a private fortune out of buying and selling nursing homes as though he was trading on the commodities market, only the commodities happened to be elderly people.

I do not understand why the government can permit that kind of situation to be taking place. They can understand the need for residential care in Metropolitan Toronto. Metro has, I understand—Mr. Anderson can correct me if I am wrong—two capital proposals before the ministry for homes for the aged, one to replace the Hilltop facility that was torn down as an austerity measure. Yet there does not seem to be any response in here to the very urgent need that has been expressed by Metro and that is documented in the hospital council's report.

Hon. Mr. Norton: May I just ask on your observation about the—I have forgotten his name, but I know the individual you are referring to.

Mr. R. F. Johnston: Fred Johnston.

Hon. Mr. Norton: Was he a friend of yours?

Tell us the truth. Did you lose your inheritance or is it stashed in a Swiss bank account?

Mr. R. F. Johnston: Not at all. But we are checking out his political contribution.

Hon. Mr. Norton: You raised the point about his buying and selling nursing homes. I am not commenting on—I do not know anything about his business activities, other than what I might have read in the newspaper. You seem to imply in what you say that there is something inherently wrong in that. I would agree with you if, in fact, first of all the quality of the service in a nursing home was necessarily worse than in a home for the aged.

Mr. R. F. Johnston: I buy that.

Mr. McClellan: I accept that. You will not find a finer nursing home in Metro Toronto than those run by the municipality of Metropolitan Toronto. As far as I am concerned, that is an objective reality.

Hon. Mr. Norton: In terms of quality of service—I do not inspect nursing homes but my understanding is, and certainly I know of some—

Mr. R. F. Johnston: I wonder if anybody does.

Hon. Mr. Norton:—where I would say that they are on a par certainly with any home for the aged. In fact, in some instances, the costs of their operation, even though they may be bought and sold, are less than the costs of operating a municipal home.

Mr. R. F. Johnston: They have probably even very efficient private nursing.

Hon. Mr. Norton: Pardon?

Mr. McClellan: I know their costs are less.

Hon. Mr. Norton: So all I am saying is, in terms of the quality—I am more concerned about the quality of service—

Mr. McClellan: So am I.

Hon. Mr. Norton:—it is a good service that is offered. If it is not, if you know of cases where there is substandard service, then let me know and I will take it up with the Minister of Health.

But as for the specific business activities of the individuals involved, I do not think that necessarily reflects upon the quality of the service that is provided, as long as inspections are carried out regularly and it is ensured that the quality of service is maintained.

We may have some ideological differences in how these services ought to be provided, and I know that you do have some reservations about the idea of any profit-making private sector involvement in the area of nursing home care. I do not happen to have the same difficulty accepting that as you do, unless it were to reflect upon the quality of service.

Mr. McClellan: We will await developments. I expect there will be some.

Let me simply ask you, have you and the Minister of Health sat down and had discussions, or are there decisions pending with respect to the distribution of the extended care beds? Can you tell us whether the public sector will be getting any of those additional extended care beds, and if so, how many and where?

Hon. Mr. Norton: I did not hear the first part of your question. That is why I was asking the deputy. I think I now know what it was. Yes, we have discussed it with Health and the discussions are continuing.

Was there a second part to your question?

Mr. McClellan: I am anxious to know, first, of the new extended care beds that have been announced.

Hon. Mr. Norton: You mean—

Mr. McClellan: Nursing home beds. I assume those are extended care beds.

Hon. Mr. Norton: All nursing home beds are.

Mr. McClellan: Yes. How many of those will be put into the public sector and how many of those will be put into the private sector?

Hon. Mr. Norton: You would have to ask the Minister of Health that question, I do not know. I would assume that since they are nursing home beds, probably all of them would be available, at least for tender, but through the private sector, whatever the process is that they follow.

Mr. McClellan: What is the current state of planning with respect to the two capital proposals that have been put forward by Metro social services and Metropolitan Toronto for homes for the aged? Have they been approved by your ministry? Are there funds allocated this year, or next year, or the year after that?

Hon. Mr. Norton: I am not prophetic, but we do not have the capital funds to approve them this year.

Mr. McClellan: You did not have it last year. When were those proposals received? Last year or the year before?

3 p.m.

Hon. Mr. Norton: I'm not sure.

Mr. Anderson: It has been part of the Metro Toronto planning, perhaps for five or six years in many cases, but it has not been approved by our ministry as a proposal as such because of various changes that are being made in the concepts of care.

The question of creating extended care in homes for the aged is really only a shift in the financing of existing beds. While we may change the number of extended care beds in one year, that does not actually create new beds, it simply converts the funding base for existing beds in the same home for the aged.

Mr. McClellan: I isolated that as a specific. I accept Mr. Carman's remarks in a speech he made earlier this year, when he was talking about a continuum of care. Part of the planning for a continuum of care has to take into account exhibit two of the hospital council report on page 12 that shows the maldistribution of beds right across the system and the obvious need for expansion in a number of sectors. There are no vacancies in the Metro Toronto residential care beds.

Mr. Anderson: One of the last times we reviewed this with Metro Toronto the number was somewhere around 500. I understand that they have taken steps to reduce that markedly

over the last year or two, but they were running at about 500 beds per month at one period.

Mr. McClellan: They are not now, I can tell you that. There is a six-month waiting period.

Mr. Blundy: Are you talking about ambulatory care?

Mr. McClellan: Yes. The hospital council's report has indicated a surplus of residential care beds within Metro, but there are problems with that.

Mr. Johnston may want to comment on that.

Mr. R. F. Johnston: There is nothing to stop you from approving capital expenditures in your budget decisions in your priorities for a charitable institution or a municipal home for the aged in Metro and requesting that they have many more extended care funded beds—they can work that out with the Ministry of Health—rather than maintain the 50 per cent average.

With the reality of what is happening in the homes for the aged at the moment, it does not make sense to maintain those institutions as 50 per cent residential any more for all those reasons of wanting to provide a continuum of support in the community.

The admission age is 82 at the moment, I think, and the mean age of residents must be 87. We know what the statistics are for the old in terms of health needs and care. Any number of those institutions should be changed in terms of their care provisions and facilities.

I think back to the home I used to work out of in Whitby, which I think made a request for changing one of its wings to more hospital-style care. Instead of expanding its facilities it requested a major renovation to enable the putting in of more suitable beds and so on in order to help people with heavier care needs.

Surely, it should be an emphasis of your ministry to react to that reality that exists at the moment. Why is not a major thrust of your plan to build new buildings, such as the ones that are being asked for in Metro, where we know there is an extended care need right now? The municipality is asking for a home for the aged—and your existing homes for the aged supposedly have 1,100 vacancies, or an average of that. I guess the end of the month is a good time to take that sampling, in September.

But you have roughly 1,000 beds now which might be better equipped to deal with the emergency problem we have with heavier care. Why isn't that a major thrust? Why is your ministry not making major changes in those numbers?

Mr. McClellan: I don't think it was that number as of October 1980, but even assuming it was accurate that there were 500 vacant residential

care beds within the Metro social service network, surely that is a terrible indictment of all the planning structures that exist, when we know that there is a shortfall of 1,672 extendicare beds in Metro. Who is dealing with it?

Mr. Anderson: In my background statement I said that surplus existed some time ago. I don't have the exact figure for Metro Toronto, but it is 390 residential care vacancies in the central region, which would include more than Metro Toronto. At the same time, again to correct the record, this is not necessarily within Metro social services.

Metropolitan Toronto has a fairly extensive reliance on beds in homes for the aged in the private sector. The beds do not all come within the control of Metro social services. They include such places as the Ukrainian homes, Catholic homes, Salvation Army homes and so on. All of those are part of the network, so those 390 beds presumably can be spread over that whole group.

Mr. McClellan: I understand that it is a mix between the charitable beds and the municipal beds, but I still don't understand where the rational planning is taking place to make sure that the right kinds of beds are in place to meet the needs. I don't see anything here that speaks to that, and I don't hear the minister saying anything that is very reassuring.

I turn to page 64 of the estimates—Senior Citizens Capital—and I see that the page is blank. Normally the ministry is very good about indicating what it is intending to do during the coming fiscal year. The item under the Homes for the Aged and Rest Homes Act shows an allocation of \$900,000. But, as I said, the page shows no explanation of how many new beds are going to be created.

Can the ministry tell us how many new beds will be created as a result of that \$900,000 expenditure?

Hon. Mr. Norton: Which expenditure is that?

Mr. McClellan: Vote 2902, item 4, Senior Citizens Capital, the Homes for the Aged and Rest Homes Act.

Hon. Mr. Norton: That expenditure would be for minor capital, not for the creation of any new beds necessarily.

Mr. Anderson: It might even involve the reduction of beds, converting four-bed units in some instances.

Mr. McClellan: I understand that there will be a further net reduction in the number of beds, if that is what is going to happen.

Hon. Mr. Norton: If that is what is happening. I don't know.

Mr. McClellan: It is clear, though, that the reason the page is blank in terms of capital expenditure is because there will not be any new beds built by the government anywhere in Ontario during the fiscal year 1980-81 under this program.

Hon. Mr. Norton: The Marianhill home for the aged is under construction at the present time. I presume that the capital for it must have been included in last year's figures, somewhere.

Mr. Carman: The amount of \$500,000 was included under the Charitable Institutions Act.

Mr. McClellan: That was last year. That was under last year's accomplishments. What I'm looking for is this year's accomplishments.

Hon. Mr. Norton: If you are looking for capital expansion, you are not going to find it. As you know, with the exception of Marianhill, there has been no new capital for several years.

If I might, for a moment, address the question that you raised with respect to planning. The response to both the Hospital Council of Metropolitan Toronto study, to which you referred, and to the broader issue across the province is something which has to be addressed. It is being discussed at this point as between my ministry and the Ministry of Health.

If the needs of the elderly are as you have described them—and I concur that as the age of admission to homes for the aged increases, more and more of the entrants are moving from other intermediate levels of support. These may be people moving from their own homes where they received some assistance, or perhaps apartment residents. Indeed, more and more are probably moving in because of some health needs.

It may not be appropriate to forge ahead with the expansion of the homes for the aged in this province, but rather to meet their needs by directing the expansion to a health model through nursing home expansion.

3:10 p.m.

Mr. McClellan: If you are talking about private sector nursing homes—

Hon. Mr. Norton: Private sector, public sector; what is the difference as long as the service is available?

Mr. McClellan: As long as it is quality service. I will try to wind this up because I don't want to belabour the point indefinitely.

Let me be very blunt with you. I have a concern that as we talk more and more about home support services, deinstitutionalization—all of the fashionable and trendy notions about providing services to the elderly—we will fall into exactly the same delusory trap that we fell into with respect to services to the mentally ill.

That is, there will be a lot of nice rhetoric and high-sounding phrases and promises about home support services. But the rhetoric will not be matched with the provision of funds or legislation to permit the orderly development of a comprehensive network of home support services.

Secondly, behind the disguise of all the flowery rhetoric, we see a deterioration of services within residential institutional settings. There are enough disconcerting signs that this is happening already: The number of beds is cut, the distribution of beds is absolutely insane, and an elderly person can look at the amount of money spent on home support services and see that the ministry was again, in 1979-80, unable to spend all of the money that was budgeted for centres for elderly persons.

There was in fact a \$1.8 million saving—the ministry doesn't like the word saving; it prefers the use of the verb "constrained." There was \$1.8 million "constrained" out of the budget. You budgeted \$3.7 million for centres for the elderly and you have spent about half of it, \$1.8 million.

This is during a year when there was an enormous amount of activity throughout most communities in the province about the funding crisis affecting centres for the elderly. Yet you are unable to spend even the money which you have budgeted, and this year you have budgeted half as much money as you budgeted last year.

The minister doesn't have any clear commitment around a coherent piece of home support legislation, just another round of consultations leading up to I don't know what.

But the situation remains that home support services are best characterized with the adjective "unstable." I know this from cruel personal experience. Meals on Wheels are available in some communities five days a week, and in other communities for only one or two days a week. Are the elderly supposed to eat once or twice a week? Are there no elderly in the province who eat on the weekends? Can you tell me of a Meals on Wheels program that operates on weekends? There may be some, but I don't know of any.

There are virtually no home-visiting, home-health or home-shopping services for the elderly in most communities. And it is a skeletal system we have—an embryonic system which cannot serve people in any kind of adequate way because it is so embryonic. At the same time the institutional side of things is increasingly skewed. I don't know who is going to pull all of this shambles together.

Despite the show of concern by the government, there does not seem to be any ministry that is taking a lead in trying to sort out the

continuum, to assign the responsibilities and to put into place the legislation that will provide for the development of a coherently funded and stable system of services based on a continuum. We have a hotch-potch.

Hon. Mr. Norton: You are correct, I think, in observing that the home support services are in—you used the expression embryonic—

Mr. R. F. Johnston: That's better than skeletal. Skeletal makes it sound like it's hanging together.

Hon. Mr. Norton: It is a little more, I think, than that. It is growing and developing.

In terms of commitment, I do not know that you have been listening. We have made a commitment that we will be introducing the legislation next spring. There is a committee at the present time that has been working under the chairmanship of my deputy and involving a number of individuals from outside government but who are involved in delivering services to the elderly, who have been working for how long now?

Mr. Carman: Since June.

Hon. Mr. Norton: Since the earlier brief round of consultation. It will be producing—

Mr. McClellan: That process started in 1977, did it not?

Hon. Mr. Norton: No. I am speaking of the home support consultation that took place through our regional or area offices, with service providers primarily, as an initial step. They will be reporting shortly and that will be—

Mr. McClellan: He does not want to listen to the comments I am making.

Hon. Mr. Norton: It is hard to listen when I am talking.

That will lead to legislation being drafted out for introduction in the spring.

As far as elderly persons' centres are concerned, your point was that there was a reduction in expenditure. What may have taken place there—and I am not sure whether this is what you are referring to or not—is that a number of services that were funded under elderly persons' centres grants in the past have been moved and are now funded under home support services.

That resulted in what might make it appear—and I have not got the specific figures in front of me—that there has been a reduction in the commitment to elderly persons' centres. That is not the case. In fact, a number of them are receiving more financing than they had before the shift. I presume those services will ultimately be provided under the new home support services legislation when it is passed.

Mr. McClellan: I am happy to be proved wrong

on most kinds of things, as the minister knows. Perhaps he could give me a breakdown of expenditures towards services through the elderly persons' centres under both the Elderly Persons' Centres Act and the Ministry of Community and Social Services Act, with as much detail as possible.

Hon. Mr. Norton: I have not got that at my fingertips but we will try to provide it to you. One thing that Mr. Anderson just mentioned I think is worth bringing to your attention. Some 21 of the elderly persons' centres were being used as an umbrella for purposes of providing service. We are not operating centres as such but as a method of providing service to seniors. These have converted and are now being funded as a home support service, in the interim period, under the ministry act.

Although it would appear that there are 21 fewer elderly persons' centres, those that have been delisted have not discontinued their previous function and were not in fact such centres at any time.

Mr. McClellan: Yes, I understood that part of it. I think I will stop at this point.

Mr. Blundy: I want to change the subject a little bit and make some comments about the salary levels of social service workers.

Over the last several years we have seen a lot of disruptions in this field. Notable among those are the strike at the Children's Aid Society of Sault Ste. Marie and District of Algoma, the strike in Hamilton of the mentally retarded workers in the spring, and now the lockout at Hamilton's Participation House and the strike against St. Catharines Association for the Mentally Retarded. There seems to be a serious rise in salary differentials affecting all sorts of human service workers.

3:20 p.m.

For example, an independent study done for the Ontario Association for the Mentally Retarded found that mental retardation workers with local associations earn on average 34 per cent less than mental retardation workers in government-run and unionized mental retardation facilities. At the same time, mental retardation workers generally were found to be earning on average 20 per cent less than those in similar social service jobs in the community.

I believe the ministry is preparing a salary survey. Is that salary survey under way, is it completed or what is its status?

Hon. Mr. Norton: What you are referring to, Mr. Blundy, was broader than just looking at salaries. It was looking at the adequacy of agency funding, particularly those which are not munic-

ipal agencies but rather mental retardation associations, children's mental health associations, all those agencies which are funded in part, or in some cases in whole, by the ministry.

The preliminary part of that work is complete and it is our intention to work with them on an agency by agency basis to try to address the issues of adequacy as they arise or have arisen. It is important, though, to bear in mind it is not our intention to specifically address it on the basis of salaries.

In recognition of the fact those agencies by and large are operated by boards and are independently or individually incorporated, we will try to address the questions of adequacy with those agencies, but their decisions with respect to how any assistance we might be able to provide is applied to their budgetary needs will be up to the boards of the individual agencies.

Mr. Blundy: Are you looking at it from the standpoint of the work individuals in the various agencies do and making comparisons? If you are not making comparisons on wages, are you making comparisons on jobs or anything like that?

Hon. Mr. Norton: No, I said it was not just salaries. We are not addressing it on that point alone. Presumably, when the staff was looking at the question of adequacy, salary was one of the factors taken into consideration.

Mr. Blundy: That has not been completed yet?

Hon. Mr. Norton: No. The first stage of data collection has been completed. The stage of consultation with individual agencies has just begun and it is not something which we intend to address on a broad-brush basis as a percentage across the province, or anything like that, but rather to try to address the specific needs of the agencies in terms of adequacy.

Mr. Blundy: Order will not necessarily follow out of the disorder now found in the level of salaries paid and in the labour problems that have been met in the last couple of years.

Hon. Mr. Norton: Our responsibility, as I see it, is to address with those agencies the adequacy of their funding. I accept there are discrepancies that are unjustifiable in any paramet-

ters. When you start talking about discrepancies of 35 per cent or more in similar kinds of work, I am not giving you any argument on that. There are some serious issues as to the rate at which it is going to be possible to close some of those gaps. It would be great if it were possible, for example, to say, "Tomorrow we are going to

close all the gaps," but it just would not be possible. I think we have to recognize that.

The other thing it is important to bear in mind is if they are going to continue to function as independent agencies, I do not see any need to ensure precise parity for every single agency. What we have to try to address with them on a broad basis is a strategy to move in the direction of closing some of the gaps in terms of adequacy of funding. The specific levels of salaries or other components in their budgets will remain the responsibility of the individual agencies.

Mr. Blundy: I do not know how you can decide the adequacy of funding if you do not take into consideration the salaries and wages paid by the association or organization being studied.

Hon. Mr. Norton: I said that would be one of the things looked at in addressing the question of adequacy. That would not be the only thing. Mind you, for some of the agencies the salary component in the budget is probably 80 per cent of the cost in some instances.

Mr. Blundy: A great portion of it, yes. That is why, if I were looking at the organization, I would be looking at the salaries and wages.

Hon. Mr. Norton: I did not mean to create the impression that was ignored. I did intend to say, and I think I did, that it would be one of the components looked at in determining adequacy.

Mr. Carman: I think there was a notion in that report that there was a comparability between the work done within the associations for the mentally retarded and the work done within the government. There was a jump from that assumption to the conclusion there were certain gaps in salary.

However, there are two problems. The consultant at no time made any assessment of government positions to determine whether there was a comparability there. Instead, he made the assumption without actually doing any kind of assessment.

Mr. Blundy: Do you mean he did not compare salary levels?

Mr. Carman: He did not compare the responsibilities of the jobs whereby he said, "This compares with that job."

Mr. Blundy: The responsibilities of the job would naturally lead you to look at the salaries related to the job. If I had a very responsible job my salary should be greater than if I had a less responsible job. I do not see how that could be ignored.

Hon. Mr. Norton: Excuse me for interrupting. This is an exaggeration only for the purposes of

illustration. If a consultant said presidents of small businesses ought to be viewed as having comparable jobs, the president of a corporation that employs 500 people might have quite different responsibilities from the president of a corporation that employs 10.

That is part of what the deputy is trying to point out—that we are aware of no contact with our ministry or with the government to do an assessment on those kinds of bases, so that the assumed comparability, without examining the jobs he was equating here—

Mr. Blundy: You are saying he really did not know whether he was comparing apples and apples or apples and oranges.

I would like also to ask about discrimination under the Family Benefits Act. As I understand it, there was a review being done on this matter by your ministry. Is that correct? I know my colleague, David Peterson, asked about this in the House one day last fall, I believe. I have been told this review is not yet complete. Can you tell me anything about that?

3:30 p.m.

Hon. Mr. Norton: The review has been completed. You said the family benefits—

Mr. Blundy: Yes.

Hon. Mr. Norton: That has been completed. Earlier—it might have been the day you had to be away from the committee—we touched on that and I have undertaken to provide it, at Mr. McClellan's request, and will certainly make it available to you.

The question was raised as to what were the cost figures and what would the cost be of eliminating those distinctions in the legislation. I think the subsequent question was how we arrived at the figures developed.

Mr. McClellan: Maybe you could just table them.

Hon. Mr. Norton: I am not sure it is ready. I will probably do it on Monday. We will certainly provide you with that information.

Mr. Blundy: Okay, I would like to see that very much.

I would like to ask about the children of recipients of FBA allowances becoming 16. The allowance is reduced when the child becomes 16 years of age. It does not seem to add up. What if the child is still going to school, and so forth?

Hon. Mr. Norton: You ask why family benefits are reduced if the child is still going to school?

Mr. Blundy: No, I said if the child becomes 16, it is reduced. Is that not correct?

Hon. Mr. Norton: I do not think so, not if the child is at home and still in school.

Mr. Blundy: Yes. But if it is—

Mr. McClellan: Did you get Reuben Baetz's semi-historical letter on this?

Mr. Blundy: Yes.

What about the child, if he or she were not going to school?

Hon. Mr. Norton: Who were not?

Mr. Blundy: Yes. Not going to school. That child would be cut off from the benefits received by the mother, right? What is the child supposed to do then? What if he is not able to get a job?

Hon. Mr. Norton: The general assumption as to whether a mother is on family benefits is that when a child leaves school he would look for employment and seek to become self-supporting. If, in individual cases, that is not possible, I presume they could seek general welfare assistance. Once he has made the decision to leave school, he is no longer considered dependent upon the parent and would have to seek social assistance independently.

Mr. Blundy: Would that child still be able to live in the home even if in receipt of general welfare assistance?

Hon. Mr. Norton: Yes. There may be some adjustment of the two in terms of the amount they would receive, but they could still do that.

Mr. Blundy: I just thought it did not seem right that the family would have to be so disrupted if the child left school. I agree he should be in school, but you cannot make every kid go to school.

Hon. Mr. Norton: No, but I would hope he would also try, if he were contemplating leaving school at age 16 or whenever, to time his departure from school with a movement into employment. If he could not find employment, he might consider furthering his education.

Mr. Blundy: That is the logical conclusion, but it is not always done.

Hon. Mr. Norton: We want to try always to encourage them to do the most responsible thing, but we cannot ensure that.

Mr. Blundy: I want to ask you about a man Ray Haggerty has been talking to Mr. Anderson about, a Mr. Peter Fitzgibbon, who has now been released from Guelph Correctional Centre. He apparently has a long history of sexual aggressiveness towards females, indecent assault and so forth.

There was an attempt to get him into the Oxford centre, I believe it is called, rather than have him free in the community. Apparently

nothing has been done about that yet. Maybe Mr. Anderson is familiar with this case.

Mr. Anderson: Yes. As far as I can recall, there were two separate situations. I guess this is the one Mr. Haggerty specifically brought to your attention.

Mr. Blundy: Yes.

Mr. Anderson: This man had been, I think, serving time for some kind of a sexual conviction and he was coming up for release. The suggestion was made that on release we should admit him to the Oxford centre for behaviour modification.

The point I was making was that we had no authority to apprehend and put the man into such a situation because of any decision on our part. Ultimately I had to advise Mr. Haggerty we could not take responsibility for this man's actions in the community, but that it would be necessary for either the crown attorney or the medical officer of health, or some other appropriate person, to take action to apprehend him and take away his liberty. We could not impose that once he had served his sentence.

In that situation I took the action of referring the case to the crown attorney and to the attention of the MOH in that area.

There seemed to be an assumption that we should take the action of apprehending the man and placing him into the behaviour modification program. That is not within our authority. Neither is it within our authority, as far as the mental retardation facilities are concerned, to hold anyone in those facilities. That, again, is not one of our authorities without some kind of legal action being taken. That was the situation around that particular case.

Mr. Blundy: I understand this man was injured in a bicycle or a motor cycle accident and possibly had some brain damage. From what I have been told about it, it would appear there must be some institution where the man could maybe get help to overcome his problem, rather than to get the crown attorney to put him in jail again.

I believe it was thought he might be helped to recover from the disabling injury he had and thus it would have been better for him to be put into an institution of that kind rather than be incarcerated again. This is the point I am trying to make, Mr. Anderson.

Mr. Anderson: Yes. I guess the operative words are "put into an institution." In this ministry we simply do not have the authority to put someone into an institution, even though it might be in their best interests to take treatment. That could only be done on an order to place that person in treatment. Then I doubt that our facilities would

necessarily be the most appropriate ones. Those run by the psychiatric division of the Ministry of Health would probably be more appropriate.

In that particular situation, the judge was given evidence of the man's condition. In a pre-sentence report it was indicated he was aware of the charges against him, the seriousness and the effect, and in those ways he had to be treated in the criminal justice system. Then he came up for release. To the best of my knowledge, outside of the Mental Health Act there would be no way of us apprehending him and putting him into an institution.

Mr. Blundy: Okay. I will follow that up with Mr. Haggerty then.

I want to also speak briefly about the Ontario Landlords' Association. As you know, the chairman is from my riding, and I have a great deal of conversation with him about this, from time to time. There is, I believe, Mr. Minister, an appointment set up now for November.

Hon. Mr. Norton: It could be. I know there was a request. I am not sure whether a date has been set.

3:40 p.m.

Mr. Blundy: Yes, a date has been set for mid-November to meet with you in this regard.

Hon. Mr. Norton: I have met with Mr. Shoemsmith and his executive on one previous occasion.

Mr. Blundy: Yes. I was present at that meeting.

Hon. Mr. Norton: That is right.

Mr. Blundy: It is easy to say we cannot do anything for people, in a quick, offhand way. I would like you to know that I do not approve of everything that is said by Mr. Shoemsmith.

Hon. Mr. Norton: It is always suspicious when you start with a disclaimer.

Mr. Blundy: No, I told him that a dozen times myself. He knows how I feel about him. But I do believe he has some very good points and can document the problems that landlords have had, not only in my riding but across the province, about being paid on a continuous basis by recipients of FBA and so forth.

It would seem reasonable to me that we ought to be able to sit down and work out something that would ensure this continuity of payment, because it is not only in the interest of the landlord but in the interest of the FBA recipients who, if something is not done, will be having a very tough time finding accommodation. So we have to look at it from the interests and the needs of both parties.

Mr. Shoemsmith is a very direct man in his approach, but I do think that we ought to think

about the recipients who are also going to be affected if the landlords' association is able to do what he is saying they are going to do, to boycott, or whatever type of word you want to use, these people as tenants.

In addition to Mr. Shoemsmith, I have had a number of the recipients in my area coming to me too. They are very worried as to what is going to happen to them if the aims of the Ontario Landlords' Association are achieved.

I would just like to have your views in this respect, because I am thinking not only of the landlords, but also of the recipients.

Hon. Mr. Norton: There are two or three things I would like to mention. First of all, some individual landlords may have experienced some particular difficulty or more difficulty than others with some of their tenants who happen to be on family benefits.

I was speaking last Friday evening to a landlords' association, in my own riding, as a matter of fact, and this subject came up. They were talking about the severity of the problem they were experiencing.

One of the questioners asked a question about this and then he said, "Just let me show you." And then he said, "Now how many of the people in this room have lost money because people on welfare did not pay their rent?" The hands around the room went up; there were 20 hands raised, perhaps.

Before I responded to the question, I said: "There is one additional question I would like to ask. How many of the landlords in this room have lost money because people who were not on family benefits did not pay their rent?" And as many hands went up—there may have been a small difference one way or the other, I am not sure. We did not do a one-by-one count.

Somebody spoke up, "That does make a point." But the thing is I think there is a perception somehow people on family benefits are less responsible in paying their rent than are other people.

I asked Mr. Shoemsmith, and in fact it might have been at the meeting that you attended, if his association could, even for the locality in which he lives, among those landlords in the Sarnia area, provide me with with some data on the frequency with which this is a problem. To my knowledge at this point I have not received any information to support the view that it is a more serious problem with family benefits recipients than it is for other kinds of tenants, tenants whose income is from other sources.

If he wants to make a case, that is one point at which he might start.

Mr. Blundy: I believe he is—

Hon. Mr. Norton: He may have that information now. If he has, he has not shared it with me. But I think we have to be careful that because of his experience—Mr. Shoemsmith personally had some bad experience.

Mr. Blundy: Yes.

Hon. Mr. Norton: Since he has made public his situation, I think it is fair for me to comment on it. Mr. Shoemsmith's problem, I think, was not only his tenants. My one observation would be that his investment may not have been terribly wise either. Anyone who is purchasing rental property for the purposes of renting to tenants, regardless of their source of income, surely has to at least calculate in his costs that there are going to be, at some point, some losses.

In his individual case, on the basis of the information that he has shared with us, it seems that he experienced two or three months', or whatever, loss of rent from a tenant or a couple of tenants in the course of the same year, which caused him to sell his property because he did not have sufficient other income that would cover those losses.

Because of the climate in Sarnia at the time, there was not a great market for selling rental properties. As you know, at the moment in Sarnia, vacancy rates are 16 or 19 per cent, something of that nature.

Mr. Blundy: Sixteen or 17 per cent.

Hon. Mr. Norton: Yes. People are not running around Sarnia trying to buy up rental properties these days, so he sold his property at a substantial loss.

He would like to see the ministry—that is the bottom line in his individual case, I think—compensate him for all of his losses. I think that if people are going to go into the rental property business, they have to do it knowing they may take some risks.

Mr. Blundy: I was not aware that he wanted to be compensated. He did not tell me that.

Hon. Mr. Norton: That point was made in his meeting with me certainly. He felt that the ministry should have some responsibility for the fact that an individual tenant who happened to be in receipt of family benefits did not pay his rent.

His concern now, I must say, is beyond that. He is not speaking only of his own case in terms of the broader issue. I suggested to him, and some of his colleagues who were at that meeting, that there was a route they might consider if, in fact, it were brought to the attention of our field worker that there was a person in receipt of family benefits who was having difficulty managing his affairs in a chronic way; there are provisions for trusteeship which would allow for

someone to supervise them for a period of time in the handling of their affairs.

In that meeting Mr. Shoemsmith did not like that idea and in subsequent correspondence reaffirmed his position, although I had the impression in talking with several of the others who were present they thought that was a reasonable approach.

He has also raised the concern that, at the present time, one cannot sue or garnishee—they can sue but they cannot garnishee—the family benefits income. I tried very carefully to explain to him it probably would not make any difference if one were to change the legislation and allow for that. If we went into the small claims court and sued successfully and brought a judgement against someone whose sole income was family benefits, if the judge were assessing what the person might be required to pay and on what basis, I think he would find that they had no excess disposable income and their income was required to meet the food and shelter costs of them and their family. Therefore, to encourage people to sue under those circumstances may give them some personal satisfaction but their chances of recovering money from someone whose sole income is family benefits is negligible.

Mr. Blundy: I agree with that.

Hon. Mr. Norton: They could get an order and they could spend the money to go to court, but I would venture to say that they are not going to recover a cent, even if the legislation were changed.

I really think that in the long run the course of action he is recommending would probably not even be in his own best interest if it were done.

3:50 p.m.

Some of them are going beyond that and are saying, "You should pay directly to the landlord," and I don't think that is a solution either. For the ministry it would mean setting up a very complicated, additional system of monthly payments. It would mean that instead of one cheque going out to a family benefits recipient we would have to start sending out cheques to individual landlords.

Aside from recognizing that the overwhelming majority of family benefits recipients are quite responsible and handle their affairs well, if we were to make that separation and try to determine who is not handling it well and send out separate cheques to those landlords, we would have an administrative morass. I just don't think that any of those approaches makes much practical sense.

As I have indicated to Mr. Shoemsmith and

others, if there are specific cases where there are chronic problems, we will consider the route of trusteeship.

I don't intend to set up any major new administration to pay landlords directly. I don't think that in terms of cost-benefit it would be worth it. If he wants to meet with me again, I hope he will come with at least some basic data to support his position.

Mr. Blundy: At least he can't say I didn't bring it up. That is the only reason why I brought it up. He pesters the life out of me. I wish he would move to someone else's riding.

Hon. Mr. Norton: Please Hansard, don't put that on the record.

Mr. Chairman: Are you going to send him this Hansard?

Mr. Blundy: No, I'm not.

Mr. Watson: You just blew it. You could have, up until that point.

Hon. Mr. Norton: If I could make a motion, Mr. Chairman, I think that in fairness to Mr. Blundy, the committee should request Hansard to strike that last comment from the record.

Mr. R. F. Johnston: It needs unanimous consent.

Hon. Mr. Norton: Although I might well agree with him if he were a constituent of mine.

Mr. Blundy: I won't say anything more about that.

That is all for the moment. I have to go to my office to make a phone call at four o'clock.

Mr. R. F. Johnston: I was really impressed with that advice to the landlords. I think it should be in the brochure.

Hon. Mr. Norton: You think so?

Mr. R. F. Johnston: Yes, it was very nice.

Hon. Mr. Norton: What was the advice?

Mr. R. F. Johnston: Basically talking about what you have to put up with, but I thought you did it so nicely.

I want to go back to the question about the homes for the aged that Mr. McClellan raised earlier on, to get some more information if I can—just some straightforward figures. I don't know if they are easy to get or not.

How many of the municipal homes specifically, but also charitable homes, that were built before 1970 are in operation now?

Hon. Mr. Norton: I don't know the numbers but I can find out.

Mr. R. F. Johnston: I would be interested in knowing how many of them are older buildings like the one in Whitby I referred to and the one in the north I mentioned last year, Golden Manor.

Hon. Mr. Norton: I can remember when the one in Whitby, the one you were working out of, was built. It does not seem all that long ago. I wasn't very old.

Mr. R. F. Johnston: You are older than you look, sir.

Hon. Mr. Norton: I still regard that building as almost new. You are talking about Fairview?

Mr. R. F. Johnston: Fairview, yes.

Hon. Mr. Norton: I can remember when the old county home that still stands behind it was in operation. Was that where your office was?

Mr. R. F. Johnston: I was in Fairview.

Of the money that is shown for capital this year, how much is going to structural changes in some of the older homes?

Hon. Mr. Norton: Almost all of it. Some of it may not be for structural changes as much as for maintenance costs—for a new roof, fire safety, or something of that nature.

Mr. Anderson: That would have to be qualified, Mr. Chairman. There have had to be structural changes and other rectifications made in even more recent homes. One or two defects in construction have had to be rectified within 10 years. Some of those are part of that item too.

The same would apply to many of the fire safety programs that are being carried out in fairly new homes. They simply were not provided for at the time of construction.

Mr. R. F. Johnston: Is any of it going into things like putting in hospital-type beds rather than just the straight resident-care beds? Would that be covered under capital? How would that be accounted for?

Mr. Anderson: It would be mainly replacement. If you were replacing one kind of bed with another—upgrading—that would normally be operating cost rather than capital.

Mr. R. F. Johnston: How much of that is happening? Let me put it another way: How many of the homes in the province have approached you in one way or another about the possibility of those kinds of changes in their homes in order to meet the changing needs of care?

Mr. Anderson: You ask for numbers and I cannot give you specific numbers, but for a good period of time now most of the beds that have been installed routinely throughout the homes have protective—I have forgotten the name of the barriers—

Mr. R. F. Johnston: Rails.

Mr. Anderson: Yes. Most of the beds are routinely developed and purchased that way so they don't have to be converted. There are

probably very few beds in homes for the aged in Ontario that do not provide for that kind of care. There are not great numbers of beds that have the dividers or the hinges in the springs, because that kind of care is not contemplated or even provided in most homes for the aged, even under extended care.

Basically I don't think we are getting very many requests of that nature.

Mr. R. F. Johnston: Are there other kinds of requests that would reflect changes, such as for lifting devices, that kind of thing? What kind of requests are you getting?

I am impressed at how old the population really is now in the homes compared to what it used to be. Presumably they require a different kind of care than the buildings dating from 1961 or whatever were meant to provide. What kind of changes are taking place?

Mr. Anderson: I don't think there is anything particularly new except in terms of volume. These kinds of services have always existed in homes for the aged.

As far as we pointed out, the care has always been there. It is only a case of classification and its being expanded into this extended care field. It has not changed much financially.

As far as I can recall, for perhaps 15 or 20 years the homes for the aged have had capability for bathing people. They can bathe people in their beds, or move them to areas to be bathed. There are safe bathing arrangements in almost all the homes.

Mr. R. F. Johnston: But a lot of them have very limited facilities in that area. There may be homes with a couple of hundred people in them that have only the one staff available. When the homes were built it might have been expected that there would be 50 or even less who would actually need that kind of service. But obviously the numbers change. There must be a greater demand now on those kind of services and on staffing needs too.

Has there been a major change in the staffing ratio in the homes in the last five or six years.

Mr. Anderson: Not in the last five or six years. I don't think the phenomenon in terms of the nature of the care that is being provided to the larger number of people is really that recent.

Mr. R. F. Johnston: So the ageing factor has been there—for how long now? How long has the mean age been up in the mid to the high 80s?

Mr. Anderson: I suppose it has been changing over 15 to 20 years. Perhaps it has accelerated because of the prolonged life expectancy of individuals in the homes. Certainly there have been

people in those conditions in the homes for the aged in large numbers for at least 15 or 20 years.

I have to point out that although the province changed the funding formula in about 1972 to classify some people as receiving extended care, the population did not change as of that date. They were simply classified differently. The population was already there in large numbers at that point and receiving that level of care.

4 p.m.

Mr. R. F. Johnston: Therefore, as far as you are concerned, the present level of care in homes for the aged is adequate to meet the present requirements of that age group.

Mr. Anderson: By and large, but not necessarily in every home. There is still the charitable area. Indeed, in some municipalities there are homes which are not attempting to provide extended care and expect people to move when they require a level of care that the home is not equipped to provide.

That is not too common in municipal homes, but it has been until recent date fairly common among some of the charitable organizations, who consider that they are providing residential facilities only.

Mr. R. F. Johnston: How many of the charitable institutions regard themselves to be only residential, with no extended care facilities?

Mr. Anderson: Mrs. Singer advises me there are approximately 12. The ratios can vary from home to home. I can think of one in Toronto, Belmont House, which only in the last year or two started to provide some extended care.

Mr. McClellan: Is that a matter of the homes choosing to retain a residential character or because there was a freeze on extended care beds?

Mr. Anderson: It is a matter of the home choosing that route. Belmont House had been operating for many years in the residential field. It was actually around the time of the freeze that they started to make a more positive identification and provide a slightly higher level of care.

Mr. R. F. Johnston: Am I to gather then that our municipal homes have more than 50 per cent of extended care? Do I understand that the average is 58 per cent?

Mr. Anderson: We have gone from about 45 per cent to 55 per cent, I thought. But 58 per cent is more precise, so I accept that. We have gone to that in about five or six years. This, again, is just reflecting the ageing of the population, not the nature of the admissions.

Mr. R. F. Johnston: What are the projections? Are the trends in that area going to continue?

Mr. Anderson: I expect that the trend is going to have to continue as funds are made available for that purpose. If our policies and other programs in the community defer admissions to the point where people require absolute care or health services, then what we are going to be faced with is simply the existing population ageing to the point where they will need higher levels of care.

Even if there were no more admissions, or if admissions were not already made for people for extended care, a higher percentage of the current population would gradually require extended care.

I think we changed our approvals by about 250 beds in the previous year and are finding about 100 changes in the current year. This will not affect admissions, it will only affect the status of people already in the home.

Mr. R. F. Johnston: The trend, presumably, will be for more extended care requirements in the homes for the aged. It comes back, then, to the question Mr. McClellan was asking the minister in terms of the future of these homes.

In your discussions with the Minister of Health, have you seriously talked of turning their administration over to the Ministry of Health?

Hon. Mr. Norton: That is certainly one of the options that has been talked about in the discussions. There is nothing in the mill for doing that immediately, but it is one option that has to be further explored.

Mr. R. F. Johnston: Another option you do not seem to be taking up is the option of more Canada assistance plan building of these homes under your ministry at this time.

Hon. Mr. Norton: That is a different issue, though. The question I thought you were addressing was that as the type of care continues to shift and becomes more of a health care facility, perhaps the appropriate place for it to be administered might be under the Ministry of Health along with the nursing homes. I am not suggesting that is a policy decision at this point, but it is a proposal worth further investigation.

In so far as people requiring admission have needs for higher levels of care, particularly as it relates to health care, we also have to consider whether it is appropriate to continue to expand homes for the aged or whether the expansion ought to be concentrated in the area of the health care facilities, namely the nursing homes, which are not all operated on an entrepreneurial basis. Some are operated by charitable organizations.

Mr. R. F. Johnston: But there is none operated by government.

Hon. Mr. Norton: No.

Mr. R. F. Johnston: The spectre I see looming here is they get turned over to Health and Health turns them over to private or charitable operation and moves out of direct involvement and supervision in this field.

Hon. Mr. Norton: Health does what?

Mr. R. F. Johnston: If you turn them over to Health because they involve more extended care, then what is the rationale for Health staying in it and administering them when it is not administering any of the others and does not seem to take any of that responsibility? The next step is you get into the privatization of these homes by trying to turn them over to some charitable organization or something. Government moves out of it.

I cannot help but put the two things together: the lack of building at the moment in this area, the lack of that obvious option of putting extended care capacity into new and existing homes, with the fact that maybe there is a short future for our homes for the aged being government run.

Hon. Mr. Norton: The other side of that surely is if they are becoming more and more health care facilities, would you argue it is appropriate in the long term for municipalities to maintain their present role in the funding arrangements for homes for the aged in the provision of health care, or ought that to be funded on the same basis as other health care services in the province?

Mr. R. F. Johnston: On the funding side of it, I have no difficulty with the formula being changed to reduce the municipality's role. I do not have any particular difficulty with that.

I look upon our health care system as being better than that of our neighbour to the south and one reason is we do not have profit as a major incentive in our hospitals and acute care facilities. That is a major reason they are good as they are and as accessible as they are, even with the present concerns we have been raising with the Minister of Health in that area. I see extended care facilities as obviously falling under the responsibility of the Ministry of Health. I would love to see the vast majority of them government run.

Hon. Mr. Norton: What do you mean by government run? Do you mean directly operated by the Ministry of Health, something of that nature, or the municipality or what?

4:10 p.m.

Mr. R. F. Johnston: Directly or indirectly. I do not have any problem with the charitable organization concept in terms of kind of involvement. That is fine. I just do not like health done for profit. Talking about nursing

homes, I do not know how many thousands you have been around. I know how many thousands I have been in around the province.

Hon. Mr. Norton: A thousand nursing homes?

Mr. R.F. Johnston: No, say hundreds. Say I have been in 200 in the province in the last seven years since I have been involved with the elderly—that would not be inaccurate—in the days I was with New Horizons and since.

I found a great discrepancy in care in various nursing homes around the province, some doing admirably but a lot of them not, compared to the discrepancies in quality of care between the homes for the aged which I found fairly consistent. There were a few instances of buildings getting too old and that kind of thing, but they were fairly consistent in care. It was a real shock to me.

No matter what the pharmacology study you were talking about the other day from the University of Toronto on the use of drugs in institutions says, I am convinced that drugs are used to far too great a degree in this province by many nursing homes to keep people sedated, out of trouble and not requiring staff help.

On the use of restraints, although we talk about physical restraints being used only on doctors' orders for specific occasions, that is not my personal experience of what is going on in the nursing home system. I believe that is done because they are trying to keep their staffs down and they are keeping their staffs down because they are trying to increase their profits.

I have real concerns about people's health, and especially the psycho-geriatric health care system as it exists in this province, being eroded by the profit motive. I do not see any need for the profit motive. I do not see any advantage in going to private enterprise to handle this. I much prefer charitable nonprofit organizations and government running it. Our senior citizens would be a hell of a lot better off if that were the case.

That is the distinction I make. I have seen too many examples. It is really hard to go and prove it, especially when there is usually forewarning of an investigation in a nursing home, but I have seen that kind of thing going on with my own eyes.

This very day there is a woman in my riding whom I know very well who had become a bit confused, who was hospitalized and who now has been put into a nursing home. In my view she has been a victim of doctors who want to handle her particular reality problem with drugs instead of reality therapy.

I was shocked to hear she was actually in restraints yesterday in her nursing home, although the community centre which I was visiting gets

her out twice a week to bring her to work in the kitchen to provide meals for people as part of her involvement in her community centre with which she has been involved for years.

The nursing home had her in restraints and doped up so she could not even talk. Today she is working in Warden Woods Community Centre helping provide meals for those people. I know it is happening and I put that down to the profit motive. That is my concern with that particular area but I did not want to go on about that.

You talked about promises of legislation this spring. This is my first discussion. I am sure this is all déjà-vu for Mr. McClellan, who has been through it for years and years. I guess we go over the same things every year and go through these little rituals in estimates.

Last year I raised the question of the support services network, of what was being done in terms of omnibus legislation and in trying to get together the various acts and funding mechanisms to make sure we actually try to put something in which is, to use a little jargon, a continuing of care concept, which we talk about a lot but really do not get down to. Doug Rapelje's answer is to set down a listing of every possible kind of support service you might have and send that out to people as a useful kind of addendum, which I do not think it is particularly.

Last fall when I was here I asked what you were planning to do. I encouraged you to put out something soon to people with a white paper they could look at so they would know where the government was thinking of going and so that community dialogue could then take place. As I recall, the deputy minister said to me his hope was that by this fall we would have legislation we could be looking at and working on at this point. Recently, your announcement was it will be next spring.

My feeling is the same as last year and I feel that in coming years I am going to be repeating the same thing. We have known for eight or nine years, it seems to me, that in that whole field recommendations have been brought forward to the government of the kinds of things that could be done. Some of us may be presumptuous, like myself, but we know what some of the answers are in terms of how to organize it and how to divide it up.

I was really disappointed in your community dialogue. I have to tell you I think it was a farce. I hope that does not offend anyone who has to administer the thing. The difference between putting out a white paper that somebody can look at to figure out what the government is after in this thing and this approach you made is as between night and day.

This is my experience with your community dialogue. I happened to ask a couple of people and agencies to keep me aware of it whenever it came. I started telling them that around the end of December because it was my impression that is when it was going to be out, then or early in January.

Finally, when it did come out the group I went out with was in Scarborough, but I had people phoning me about it from other parts of the province. Some agencies were given one week's notice to attend with ministry officials to talk about a network of services for the elderly in the community and, being members of boards and volunteer organizations, were supposed to be able to respond to something which was mailed out to them within that length of time and to be at a meeting and to be able to reflect their board's position on it.

Some of them had much more notice than that, I admit. Some had several weeks' notice. But my example with my particular interaction was there were three groups which had approximately one week's notice to get this together.

One cannot pull together a board meeting in Durham, a rural community, just overnight. It was very difficult to then try to respond to something which, at best, was nebulous in where it was going. The open-ended questions were just useless to anyone who was trying to be involved in service delivery to the community.

I sat in on a meeting in Scarborough to see what was happening. I learned a number of groups had not been invited. I do not know what lists were sent out of what agencies should be invited, but a couple of agencies had heard about it from other agencies and happened to arrive. I do not know what the mailing process on that was, but it was not adequate.

We went through this document piece by piece. I do not have it with me today. I do not want to inflict that on anybody by reading through it. People talked about it. It was an open meeting. Everyone got up and said a few words.

The system for taking back the information was to have one person at the front jotting down the ideas as they came up. Where she thought there was a consensus she wrote down what she thought was the consensus. I never heard what her consensus was about what was going on there. Ideas were just flowing from all over the place on the needs of old age and their particular agency.

We were informed what was going to happen was that her idea of consensus, taken down in rough hand, was going to be taken back to a meeting of other people around Metro who had been doing the same thing—holding meetings

all over Metro, taking down the consensus. They were going to go through their various versions of what had gone on at their meetings and they were going to compile that. Which they did.

We then got a version which came out in August, as I recall, a double step away from what was going on, an extrapolation of what they had heard from Metro. Then there was a further updating of that.

Now I presume you are going to come through with a white paper, some kind of a—

Mr. Anderson: A consultation paper.

Mr. R. F. Johnston: —a consultation paper, which is the thing that should have been done in the first place, in my view, in terms of promoting this interaction, and hopefully have legislation by the spring.

That process is atrocious. It is a terrible planning process.

My understanding was that you did have a consultation paper ready and that you did not use it as a focus. I really want to know why that was and why we are now seven months behind where we were going to be at this time in our discussions in estimates last fall.

Hon. Mr. Norton: My deputy, being a man of great integrity, feels that you have been led down the garden path by him, and so he would like to respond to that.

4:20 p.m.

Mr. R. F. Johnston: I didn't bring my Hansard with me. I had it in my file.

Mr. Carman: The member for Scarborough West is absolutely right.

Hon. Mr. Norton: Not absolutely. Don't get carried away.

Mr. Carman: When I reviewed the results—and perhaps John Anderson will comment at greater length about the process that led us up to the end of the questionnaire period when I'm finished—when I reviewed where we had got to at the end of the questionnaire period, my advisers at that time said, "We really do have to have a much more thoroughgoing review of the policy issues that underlie home support services." So I said, "Yes, and when I go back into the House in the fall, and in committee, Richard Johnston is going to be there saying, 'You promised us that you would have legislation.'" And I said, "Are you absolutely certain that this is the best you can do in getting this process on track?" Because having made a promise, I was very concerned about missing the deadline.

However, I think the assumption you made and the assumption I made when we were sitting here last year were quite similar. That was that

we did know what the mechanisms were. We did know, clearly, not only what the policy issues were, but we had some idea as to how they could be resolved.

I made the assumption, when we were sitting here last fall at least, that there was a body of knowledge which could easily be tapped and that we could get through a fairly simplified process of consultation and that a policy paper could be developed in the spring.

As a result of the meetings—and as I say, John Anderson can discuss what came out of them in more detail than I can—it was crystal clear that there was a number of very considerable differences of opinion as to what form the home support services would take, what services should be covered, who should be responsible for delivery, the overall basis on which the services should go ahead in terms of local autonomy versus some kind of standard or overall provincial guidance to the program.

As a consequence, there was no alternative in my view, at the end of that questionnaire period, than to do a very thoroughgoing basic policy analysis of home support services.

Now, I think for those people who sat on the advisory committee over the course of June, July, August, September and October, it was a real eye opener in terms of the number of value-laden decisions that still have to be addressed. And the purpose of that exercise was to get a much more substantive and thoroughgoing input to a structured process.

You have made criticism of the questionnaire process in that it was not structured. We clearly recognized that we had an obligation to provide a structured dialogue with some of the service providers, to identify each and every one of these issues. I think I covered some of those in the speech to the Ontario Association of Homes for the Aged in September up at the Lakehead.

I must say that as a result of that dialogue—it is my understanding, by the way, that in the case of each of the individuals on the advisory committee they had gone back and discussed it with a group of individuals in their own constituencies as well. So we have had input from clients and from service providers and other people coming back into the process. I think what we will come forward with in the final analysis will be a much more appropriate document for you to react to.

I too would have liked to have seen the process happen much faster. It did not, and the result of that initial questionnaire process would have led to a piece of legislation that would not have been appropriate for the consideration of the committee this fall. It would have led to something

where we were trying to put something together as we went, rather than having a document that was indeed the result of some fairly deep consideration of the underlying issues.

I think the result we will end up with ought to be substantially improved. That is not to suggest that there will not be a whole series of very significant value-laden issues which still are going to be debated, I am sure, from various points of view. But at least we will have identified these things in the next consultation papers so they can be debated, in my view, in a much more thoroughgoing and constructive manner.

Mr. R. F. Johnston: I find it hard to believe that anything coming out of that last community dialogue would have added anything at all—this is maybe absolutely presumptuous—to the knowledge of John Anderson or Dorothy Singer, as examples, on the matter of home support services.

The value questions were there in the beginning. It is understood. I may ask you some more questions about some of those, in terms of where the ministry feels it is going in those areas. I believe they were there before.

At that meeting I was at in Scarborough there was an incredible frustration. We would go to point one on the questionnaire, and would say, "What do we feel about user pay?" So everybody would go into user pay from their little angle and they would not know exactly what was the matter. Some people did not say anything. The process, I found, was really useless.

What was going on at this same time—because you told me there were going to be all these wonderful concurrent happenings in terms of this process. One of the big problems was who was going to handle the legislation of this thing—all the acts, et cetera, that are going. You were going to have interministerial consultations throughout this whole process.

Surely one of the really vital things about whatever bill you are going to bring forward which will be comprehensive in this field, one of the key parts of it is to say who does what and who is responsible in what ministry. Can you fill me in a little bit on some of the hard stuff that has come out of those meetings, which, I presume, have been happening on another level? I do not know if that is your advisory committee, or whether—

Mr. Carman: No.

Mr. R. F. Johnston: What has been going on there? Are we any closer to understanding how you can take those—what is it?—nine acts, 13, or whatever the number is, the various things? Have you got very far with that?

Mr. Carman: I do not see any significant impediments to taking our own acts and coming up with a single home support services act. I think we can see fairly clearly the skeletal outline of a home support services act that will serve the Ministry of Community and Social Services.

I think, though, the major point of interface, and the major point of clarification that is reported, is with the Ministry of Health and with the chronic home care and home care programs.

About two months ago, we began identifying the interface issues with them, and we now have five interface issues. I am sorry, I just do not recall them off hand, but those issues are now being reviewed by the chairman of our task force, Mr. Glen Heagle, and people in the Ministry of Health to identify for the policy field the clear interface issues that affect the two ministries.

I agree with you, we cannot proceed with home support legislation for the ministry without having dealt with some of the interface issues between the two programs: the question of the user, in one case, perhaps paying, and in the other not; the question of what services it must cover, who is going to do the assessment; and a whole series of questions, in fact, which really have to be addressed.

Mr. R. F. Johnston: Are you telling me at this stage you are not in a position to know what the weight of responsibility is going to be between Health and Community and Social Services in the matter? The British model, for instance, is primarily Health oriented in terms of the home support service network they have at present for the elderly. They obviously chose to go that way for their own reasons, and all the assessment and placement, which is a key component of the continuum of care, are handled through Health, in their case. How far are you along in that in terms of responsibility?

4:30 p.m.

Mr. Carman: It would be misleading, I think, to say we have sorted out the complete set of responsibilities, but I do not think there is any suggestion that the Health ministry here would take over the entire home support program. As you know, their program is oriented specifically to a medical problem. In their program, the point of access is the doctor. As a consequence the whole gate-keeping, the controls on the program are brought to bear through an approval by the doctor. Things like homemaker and nurses services and other ancillary services are brought in as a secondary support to a primarily medical condition.

The whole thrust of our legislation is not oriented towards the medical problem at all. It

is oriented towards a situation where a person, in order to continue to reside satisfactorily in the community, may need certain individual, or certain combined support services in the home, Meals on Wheels, some homemaking, and so on, but without the necessity of a medical condition.

It is just not practical, in our view, to have the assessment and referral service being done through a health system for that kind of need. It needs to be on a completely different basis. What we are attempting to do is to try and clarify the criteria by which a person would be able to know whether his particular need at a particular point was more to be found within the health system, if you are a doctor, or through the home support legislation we are referring to. Some of the assessment and referral options will appear, I would hope, in the consultation paper. So there is no point in going into them in detail.

Certainly the attempt is being made to clarify it for the general public in the sense of, "Okay, if you want to get some kind of support services, here are the criteria by which you would seek out your doctor, here are the criteria you might use to seek out a charitable agency, or municipal social services department, or whoever else is responsible for assessment and referral for home support." That clarification we are looking at—we are not looking necessarily at a magic key where you end up going to one or the other.

Mr. R. F. Johnston: What the nature of the bill might be—the direction of the bill, the spirit of the bill or the legislation to be brought in—will be contained in your paper; it will have that idea? Or is it just going to be slightly more specific in limited kinds of questions?

Mr. Carman: No. I think the purpose, the framework of the items which would be covered by a bill will all be in the consultation paper. It will really deal with the whole range of questions beginning from what is home, all the way through to who and how could the services be organized and delivered.

Mr. R. F. Johnston: And it will include Health in terms of the—

Mr. Carman: There will have to be, at least for the purposes of the cabinet committee review, a clarification of the interface. I would prefer to be able to include that in the consultation paper, if possible.

Mr. R. F. Johnston: And the bill would include implications for Health in terms of legislation, or would there have to be separate legislation covering the Health aspects of the home support service from which you are making that kind of a division?

Mr. Carman: I think two pieces of legislation would be set.

Mr. R. F. Johnston: So you are expecting a Community and Social Services bill in the spring, but not necessarily the companion legislation for the Health side of things which would be needed with that? I am trying to be much more specific.

Mr. Carman: I do not think, at this stage, we could give an answer on what Health's intentions would be.

Mr. R. F. Johnston: One of the presumptions of the British system to supply it the way you did is that any of the social welfare kinds of assistance for someone staying at home are, in fact, part of a preventive health concept as well. They do not see much difficulty in linking them together.

Their placement in the system is not necessarily handled through a doctor, but through teams of workers in the community establishing some sort of a placement assessment team to work with all the ministries—Housing and so forth—which are involved with it. But it comes under the one piece of legislation.

I am interested in hearing—I am still not exactly clear where you are going; I am fishing like crazy here—where you are going to make the separation. There is not going to be anything in your bill which talks about nursing service at all, is there?

Mr. Carman: Certainly the Homemakers and Nurses Services Act would be folded into this particular bill, so to the extent that nursing services are now provided under Community and Social Services legislation, they would still be considered for provision under the home support services act.

I think it is premature to be answering that question before we have completed our negotiations and discussions with Health and have answers to the various issues that have been raised.

Hon. Mr. Norton: Not to be gratuitous, you sound as if you are deteriorating rapidly. I feel as if I am.

Mr. R. F. Johnston: I will have a vote on it and let you know.

I was going to end it on this, but I want to ask you a couple of other questions.

The important parts of this whole process are not the listing of things that have been developed, it seems to me. That is easily done by assessing any of your programs to see what services are being delivered—you list them all, you have them all there. You also have all the various options in terms of user pay, the use of volunteers and all of that kind of thing already there.

It would have been useful for agencies, and for myself and others, to have had this kind of thing laid out for them last spring so there would have been a lot of time to talk about it. It would have been great if that had come out in May, with you still not intending to bring through the legislation until next spring. At least there would have been time for a very full discussion on it. I think that would have been much more useful than the community dialogue thing that was sent around. I leave that as a parting comment.

What is happening on the aspect of volunteerism, as far as you are concerned, in the home support area? How big an emphasis do you think your paper is going to have on using volunteers and senior volunteers as a major component of what I hope will be a comprehensive system of home support?

Mr. Carman: We considered that to be one of the major issues in the consultation paper. It is a sensitive review of the role of the volunteer and the encouragement of the volunteer program.

One of the concerns that has been expressed at the advisory committee is the more you capture comprehensive home support services in legislation, the more the impression is left that somehow or other the volunteer is no longer a requirement in the provision of home support services. Nothing, of course, could be further from either the truth or reality.

We have to consider a number of ways to encourage volunteer activity and I think the legislation has to be designed sensitively enough not to discourage the senior volunteer, or for that matter, the person's friends and family.

That is not at all to suggest that one is attempting to disqualify a person for home support services because that person has friends or family who are prepared to become involved. I think there are many times when friends and family would have an active involvement if they thought there was some safety valve when the load got so great and that there was an opportunity to get some help from outside. I think that, in the definition of the social need, has to be handled sensitively.

As far as the volunteer area is concerned, it is an important part of the process and of the program.

With regard to the question of which services ought to be subsidized by the province, we have some suggestions on how the volunteer work could complement the subsidized service programs. I think that might be a useful area for dialogue as well.

4:40 p.m.

Mr. R. F. Johnston: I think if there had been some specific recommendations on that this

spring, rather than the open-ended question about volunteers, somebody could have dealt with that.

Having run a volunteer service, my concern with volunteerism is the other side of it, and that is the overdependence on volunteers for the provision of what may be very important services within a continuum of care. If you are going to leave certain areas specifically to volunteers, then I might have some real concerns about it.

The kinds of questions we had from the dialogue left so many of those things wide open. People can put their opinions down one way or the other, but there was no idea of direction so that one could respond to the nuances involved, which are, as you say, very important.

You need not to discourage volunteers and the humanizing factor that they specially have—not to say that government people are not human; I don't want to imply that to anybody in the room—which could be a very important part in terms of community support.

I am worried about an overemphasis, especially, on this idea that we have this great resource, all those old people out there who have all this time on their hands and all that they can contribute to society, so let's keep this program cheap by using volunteers. I'm worried about that kind of emphasis.

The other question is the whole means testing side of this. The program I was operating in Durham often had fees that were as low as \$1.50 or so for a particular home help service that might be required. We were given a sliding scale of how to charge fees which was absolutely ludicrous—a person who was at a certain income level would have to pay \$1.48 and someone at another level would pay \$1.50.

A sliding scale presumes that you have an expensive service—say home nursing, where you are getting \$25 a day—a relatively expensive kind of service, instead of just a \$1.50 charge for driving somebody to and fro.

We were asked, initially, to try to administer that and we refused. It just didn't fit that kind of organization. So I am interested to know where you are going, what your ideas are in terms of the means testing of recipients of home support service.

Mr. Carman: I think we had a fairly lengthy discussion last year, if I recall correctly, about the advantages of moving away from means testing to an income test, particularly for the elderly, because of the fact that the income testing could be done rapidly and easily if you pick some level pattern near the Gains maximum.

However, as we moved into the examination of the implications of which test to use, we ran into a group of people who created a bit of a

problem for us. That was the physically handicapped. If you use an income test for the physically handicapped you can penalize them because they do have, in many cases, extraordinary costs well above the Gains maximum.

As a consequence, you might think what you will see is an attempt to try and bring forward an approach which is more simplified than any means testing approach that we have used here before. The sliding scale of \$1.48, \$1.49, \$1.50, that sort of thing, would not be part of the charge policy. We would not do it on that kind of a basis.

The basis to be used would be similar to that of the charge policy we have talked about in the area of children's residential programming. You will recall, I think, the discussion we had earlier relative to rather simple steps of charges, depending on broader income range, or something along that line.

In any event, the purpose of bringing something a little more complex forward is to handle the problems of the physically handicapped person who needs support services but obviously should not be paying fairly significant out-of-pocket expenses relative to transportation, work expenses and so on.

So we will be trying, in a sensitive way, to combine simplicity for the elderly with some kind of sensitivity for people who have higher expenditures.

Mr. R. F. Johnston: I have one last question. I see I am losing the Chairman.

Mr. Chairman: No, not at all. I'm right with you.

Mr. R. F. Johnston: Oh, that's wonderful, Mr. Chairman.

What is the date of the paper? When can we expect it?

Mr. Carman: We are having a meeting with the advisory committee all day next Thursday to discuss a draft. There will be a rewrite of the paper after that and it will go to the social development policy field. Then it will be available for distribution. That gets us towards the end of November.

Mr. R. F. Johnston: Before the session ends, the consultation paper will have been sent out to—

Mr. Carman: All the four corners, as far as we can foresee at this point.

Mr. R. F. Johnston: A very good qualification. Thank you, Mr. Chairman. You have been very kind and patient with me.

Hon. Mr. Norton: Thank you, Mr. Deputy, for giving me a bit of relief there.

Mr. R. F. Johnston: Me, too.

Mr. Chairman: Shall vote 2902 carry?

Mr. McClellan: No, certainly not. I do not have a whole lot, but I did indicate in the leadoff I wanted to have some discussion of the sheltered workshop program. I have the usual number of old chestnuts with respect to the income maintenance program.

Before we leave, there are a couple of things I can clear up quickly. What is the status of the Brantford Sanatorium which you promised last year?

The Brantford Sanatorium is a facility for the development of handicapped children. Part of it is a schedule II facility and part of it was a home for special care. The ministry indicated last year plans were afoot to end that anomaly and bring the whole thing under the Developmental Services Act. Has that been done?

Mr. Carman: We may have the answer. Mr. Dick Wilson may have something on it. That really is a children's services division question. It is a schedule II facility, but largely for children.

Mr. McClellan: I thought that would require a yes or no answer.

Mr. Carman: I do not think it has been completed. At the moment the help have moved out of the chronic care section of the facility. From an administrative standpoint it caused some problems for us because we were left with the burden of carrying the administrative cost for the entire facility. That part of the problem has now been resolved. Maybe Mr. Wilson can comment.

The homes for special care still fall under the jurisdiction of the Ministry of Health. Although we are developing programs which would be of a developmental nature to assist the residents in the home, the administration of the homes for special care is still with Health at this stage.

Mr. McClellan: Perhaps we had better leave it until Monday because obviously it is going to need a little more explanation than I had thought.

Just to conclude: I had asked the ministry for some figures, breaking down the social assistance case load to the extent that it was possible to identify people who are on either general welfare assistance or family benefits by virtue of accident or illness. If that could be made available, I would appreciate it.

I would like to have some discussion about the rescue program within the homes for special care. Before we do that on Monday, perhaps the ministry could provide the committee with the number of assessments that have been done under that program, together with the number

of individual programs that have been developed under the rescue program.

It is hard to separate developmental services into adults and children. Maybe if we talked about developmental services all at once on Monday, the minister could have his staff here and we could talk about it in a coherent kind of way. Then the staff could be released if that is acceptable.

Mr. Chairman: You had asked for some information, Mr. Johnston, about the social review board.

Mr. R. F. Johnston: Yes.

Mr. Chairman: I gather that information is being prepared. So perhaps we can get that on Monday as well.

4:50 p.m.

Mr. R. F. Johnston: I believe that was to do with the chronic care copayment cases.

Hon. Mr. Norton: Right.

Mr. Chairman: The appeals for the copayment.

Hon. Mr. Norton: On chronic care.

Mr. McClellan: We had asked for a breakdown on the 19 appeals to the Social Assistance Review Board against chronic care copayment decisions under the Health Insurance Act.

Hon. Mr. Norton: A breakdown.

Mr. R. F. Johnston: Who they are and when they were.

Hon. Mr. Norton: Who they are?

Mr. McClellan: Demographically.

Hon. Mr. Norton: Oh, I see.

Mr. R. F. Johnston: I would like to know the nature of them. I know the specifics of mine, but I would be interested to know the argument that was put forward for each.

Mr. Chairman: Okay, perhaps we could do that on Monday.

Hon. Mr. Norton: If it is available.

On Mr. McClellan's question relating to how much of the social assistance case load is due to accident or illness, we have the information broken down on the basis of the nature of the handicap. We do not have the information as to what may have caused it.

We can share with you what we have but apparently, in our own records, we do not have the information as to whether it was caused by an accident or otherwise.

Mr. McClellan: I would also remind the minister of the list of eight I submitted at the start of the estimates.

Hon. Mr. Norton: I think those are pretty well complete. We will see you get them on Monday.

You wanted a breakdown of the assessments, a list of the assessments that have been completed at this point. I can give you the figures, if you like, at the moment in terms—

Mr. McClellan: Don't come up with anything right now. If we could have the assessments and the individual programs—it was a two-phase thing. The commitment was that, by September, I think

there will be the assessment and the development of individual programs for each. It is in my file here somewhere, but you can give us what you have done so far and then we can discuss it.

Mr. Chairman: The committee will adjourn until Monday after routine proceedings.

The committee adjourned at 4:53 p.m.

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No. S-33

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Community and Social Services



Fourth Session, 31st Parliament

Monday, October 27, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

MONDAY, OCTOBER 27, 1980

The committee met at 3:35 p.m. in committee room No.1.

ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES

(continued)

The Vice-Chairman: I sense a quorum when I look at the back of the room. In the proceedings of the estimates of the Ministry of Community and Social Services, it is my understanding we had reached vote 2902 and Mr. McClellan had the floor.

Hon. Mr. Norton: Mr. Chairman, I would like to respond briefly at this point to something from the last day that Mr. O'Neil raised relating to Prince Edward Heights Advocacy Organization in a report he had received from, I believe, the parents' advocacy group.

We have pursued that to some extent and I think it is important I get on the record. I would prefer he be here but it is important it be on the record before we proceed further. There are some very serious concerns about that report.

I want to make it clear my remarks are not directed at Mr. O'Neil. I understand he was legitimately responding to concerns he had on the basis of the information he had been presented with. I will respond to all the concerns he raised in due course.

What I want to clarify today is that there was a section which we found in a copy of the minutes given us by Mr. O'Neil which is personally and professionally offensive, irresponsible and bereft of fact. That section in the minutes to which I am referring discusses a report on Prince Edward Heights which purportedly was prepared by representatives of Humber College of Applied Arts and Technology.

I have no quarrel with Mr. O'Neil for raising his concerns, nor with the parents' advocacy committee for accepting the report, but I must take great exception to what is alleged to be a report on Prince Edward Heights prepared by Humber College.

I emphasize "alleged" because we have learned the authors of the report, persons by the names of Ms. Livingston and Ms. MacKinnon, are not on the Humber College faculty and, more to the point, their report and its findings were based on

what we believe to be the flimsiest and most faulty research imaginable.

The authors of the report do exist and both individuals did visit Prince Edward Heights on August 18 of this year claiming professional interest and explaining that work they were doing at Humber College was the reason for the visit. The two persons spent a total of one and a half hours at Prince Edward Heights, during which time they spoke to the director of community and professional services and the volunteer services co-ordinator.

At the conclusion of 90 minutes of meetings, both apparently felt they were capable of writing a total in-depth report on the operations and programs of the facility. It is apparent to those who take the time to read the report that their findings are fallacious and that the report is, at best, inaccurate and incomplete.

For the record, this report has never been shared or discussed with the administration of Prince Edward Heights. I am deeply disappointed the Ontario Association for the Mentally Retarded would see fit to table such a document with the parents' advocacy committee without verification of its contents.

By way of example and to demonstrate the mischief the report creates, Mr. O'Neil took its findings and discussed a number of things including drug problems, drug errors, lack of medical staff and, in general, medical health services that allegedly are less than adequate at Prince Edward Heights. In fact, nothing could be further from the truth.

I want the members to know the following is a factual account of health services at this facility.

First, daily clinics are provided by four general practitioners from Picton and Belleville. Secondly, a 14-bed infirmary is staffed by registered nurses 24 hours a day. Six registered nurses work in specific areas of the facility much along the lines of a public health nurse in the community.

3:40 p.m.

Nine medical specialists in fields such as psychiatry, neurology, gynaecology and dermatology hold regular clinics on the site as required. Most of these specialists come from Belleville and Kingston, with five of the specialists affili-

ated with Queen's University. Major surgery is performed at Belleville General Hospital and Kingston General Hospital. Dentistry is provided by community dentists at the facility through regular clinics.

Every resident's medications are reviewed monthly by a medication review team consisting of a physician, a pharmacist, a nurse, a residential counsellor and a psychologist. The review is thorough and ensures the proper prescription of drugs based on interdisciplinary knowledge and input.

Drugs are dispensed through the pharmacy to residential areas and administered to residents by qualified counsellors and/or nurses. Record keeping and control of prescribed drugs is closely monitored. The administration of anti-convulsive drugs is monitored by frequent blood level tests and resultant seizure activities to assist the physicians in prescribing appropriate amounts of medication.

I could go on but I feel no further purpose would be served at this time. The report is replete with other inaccuracies and misleading statements and I am saddened it has been given so much credence. It was authored by two persons who obviously did not do their homework and, I'm afraid, conducted themselves in a very unprofessional and unethical way.

As I mentioned at the outset, I will be responding to all the concerns raised by Mr. O'Neil and in no way do I suggest he did anything improper by raising the concerns. I see he has now arrived.

Mr. O'Neil: I am sorry I was late. I will have to read it in the record.

Hon. Mr. Norton: Perhaps you could give him a copy of this. Due to the serious misrepresentations contained in the report that had been presented to the parents' committee, I felt it necessary this statement be placed on the record. I will be responding more fully to Mr. O'Neil.

Mr. O'Neil: I am sorry, Mr. Minister, was this in regard to the Picton—

Hon. Mr. Norton: Yes, it was. Just in a capsulated form, we have learned through the review of the minutes you provided us with that there was a report which purportedly was done by people involved through Humber College. It is that report, which we believe misled the parents' group, that was taken exception to, both because of the way in which the material was collected and also because it was almost completely erroneous, inaccurate and misleading.

I have just outlined for the record the medical

services and the control of medication that are, in fact, in place at Prince Edward.

Mr. O'Neil: I might say, Mr. Minister, I was not aware of any Humber College report when I made the comments the other day and I appreciate your comment that it is my job to raise any of these concerns.

My concerns are not based solely on the minutes I received from that concerned group of parents. I have had several other representations made to me, as I think I mentioned the other day, from staff at that location and from other people in my own area who have grave concerns.

It may be all right to come back and say certain things are not happening there. They may not be. But I think it would be very wise of the minister and his staff to take another, close look to make sure that some of the things mentioned, plus others, are looked into. I have mentioned a couple of times, concerning that report, that I am not trying to put it against the administrator of that place or the staff.

I feel there has been underfunding and underassistance from your ministry to give the direction that should be given to that place. I have talked with some of these interested parents and their concerns are that sometimes the staff that works for you and the people you have inspecting that place are a little afraid to step out of line for fear of their jobs and other things, whatever they may be. I feel there is a little concern when one is working as an employee.

We also have a situation at that location where most of these people cannot talk or stand up for themselves or put in complaints in certain areas. I know you are as interested as I am in seeing that place is run properly and those people are looked after with programming and everything else. I hope you and your staff will take a close look at some of the things I feel need to be corrected there.

Hon. Mr. Norton: As I indicated at the beginning, this is not intended to be a full response to the concerns you raised the other day but, more specifically, I wanted to get on the record our response to that report allegedly done by somebody from Humber College, which was really not worth the paper it was written on.

With regard to your other concerns, we will be responding to them. I want to say this because of the suggestion perhaps made to you that some of the staff are intimidated because they are frightened of losing their jobs. If you know of any staff member who, assuming he or she had an advocacy role to play on behalf of an individual or whatever, has at any time been threatened with loss of a job over something of

that nature, I would like you to be more specific and bring it to my attention.

Mr. O'Neil: No, I did not even—

Hon. Mr. Norton: It is easy for people to go to you or anyone else and make these general kinds of suggestions. If there is any intimidation, and I have no reason to believe there is, but if you have any reason to believe there is or if anyone comes to you, it is important he be specific so we can follow it up. I am sure not only the senior administration of that facility but certainly other staff in my ministry would be deeply interested to know if anything like that ever does happen.

Mr. O'Neil: It was not a case of anyone being told if he said anything he would lose his job. It was a case, I think, of employees who have a general concern that, if they speak out publicly or even let it be known they talked to me, that would place them in a position they do not want to be placed in. I have had two such people speak to me.

Hon. Mr. Norton: Perhaps they are just timid.

The Vice-Chairman: Just before we start, it is my understanding that under vote 2902 we are going to deal with all the items.

On vote 2902, adult services program:

Mr. McClellan: I am anxious we try to finish off vote 2902 and get to the third vote. I think with any luck we can probably finish off 2902 today or relatively early tomorrow.

I have about four items I want to raise, not all at once, but maybe I can start with a couple of concerns I have about the income maintenance program.

The minister will perhaps remember a couple of fairly acrimonious exchanges we had in the House—

Hon. Mr. Norton: You and I have had acrimonious exchanges? I can't believe it.

Mr. McClellan: Totally atypical.

With respect to the Family Benefits Act allowance, I continue to say the rent portion of the allowance is grotesquely inadequate and there needs to be an adjustment in the rental allowance.

I am not sure what the ministry is saying in response which leads to the acrimonious exchanges, because the minister appears to be saying that the family benefits allowance is no longer broken down into sections, so that when you increase it you do not increase the rent portion by a certain amount and other portions by some other figure.

My understanding remains that when you sit down to calculate how much a person is going to

get, you do it in two parts. One of those parts has to do with what is actually paid in rent and the rental maximum, if I am not mistaken, is still \$130 as the base. What is the base?

Mr. Allieri: There is no longer any base. The \$75, the \$130 and so forth consist of demarcation points from which the allowance will be reduced if the shelter portion the applicant is paying is less than that amount. Those amounts have remained the same since 1975, I believe. They have not been increased the last two or three times the rates were increased and, as such, they no longer represent the shelter component of the allowance.

However, under the Canada assistance plan we are required to have variables in determining need as a condition of cost sharing. One of the variables is shelter, so we must still retain a variable, but that component has never been increased. It is there primarily to comply with federal guidelines for cost sharing.

Since 1975—whenever we increased the allowance—we increased the total package by the fixed percentage, a portion of which, of course, was applied to shelter. But there is no longer a clear differentiation between the two.

3:50 p.m.

Mr. McClellan: But that, surely, is a semantic game.

Hon. Mr. Norton: No. May I take a crack at it?

Mr. McClellan: I hope you understand my confusion, because if I had a constituent who is paying \$200 a month for rent and she has one child, it is my understanding that she is allowed \$135 a month for rent, or the figure to which it has changed in the interval. That was basically the calculation that was made when the field workers went out and filled out the application form. They asked, "How much are you paying for rent?" The allowance is not adjusted to take into account the reality of what people pay for rent in metropolitan areas.

I don't pretend to be able to follow what Domenic was saying. Maybe the minister can take another stab at it, because I am genuinely baffled about that.

The point I am trying to make is, however you disguise it, the amount of money you allow a social assistance recipient for rent is just grotesquely below what the market is charging.

Hon. Mr. Norton: Going back for a moment to 1975, at that time the—

Mr. McClellan: I had better take notes.

Hon. Mr. Norton: —present amount that was added to rent in the allowance was the same

as it is today. Domenic just gave you those. I think it is \$75 and \$130, Domenic?

Mr. Alfieri: Yes, \$75 single; \$130 for two, plus \$5 for every additional dependant.

Hon. Mr. Norton: Those have not changed.

Each time there has been an increase in the allowance since 1975, there has been a percentage increase applied to the total, including the rental or shelter cost portion. But all of the increase has been put into the other needs, as opposed to being put into the shelter component. In other words, the increase is applied across the board, but we have not adjusted those figures that indicate the amount for shelter.

Initially, the reason for choosing that course of direction was that there had been concern expressed that each time people had an increase in their rental allowance, their rent went up a proportional amount. So it was just a guideline for the landlord.

In the interim, I agree, they have become unrealistic in relation to the actual rents that the people are paying. There was also the intention to move towards what might be described as a pay packet, as opposed to a compartmentalized allowance, but we had to maintain the shelter portion for purposes of federal cost sharing.

The only time that figure is now relevant in terms of the allowance, for our purposes at least, is if the individual's actual rent falls below that figure. For example, if a single individual is paying less than \$75 a month in rent, then we are required to reduce that portion of their allowance. Or, if a family—is it two individuals at \$130?—if their rent is actually below that.

As you can guess, that does not apply in a lot of cases, but it does in a few. In fact, I had a constituent recently who—and I don't know how they managed to do it—moved from more expensive accommodation to, I think, perhaps Ontario Housing. That rent is now below \$75 and there had to be an adjustment.

Generally speaking, the course of action we have taken was to protect the interests of the recipients of the benefits by, initially, not providing a guideline for the landlord to increase the rent every time there was an adjustment in the allowance, and to keep at a low level the point at which we had to make any reductions as a result of the rent being below the shelter portion. Is that clear to you?

Mr. McClellan: Well, it's clear as far it goes. But I am still under the impression that when a new application is taken and the field worker visits the family and fills out the application, he takes down a number of pieces of financial information, one of them being, how much are they paying for rent.

Hon. Mr. Norton: Which would be relevant only if they are paying less than the \$75 or the \$130, or whatever. The reason they would ask for that specifically is if a single individual happened to have—and it would be very rare—a rental accommodation for which that person was paying \$60. Then we would only be able to allow \$60 on that. But in most cases it would be more than that \$75 figure and, therefore, would be not relevant to the application.

Mr. Blundy: On this very topic about which Mr. McClellan is talking, when we discussed the possibility of providing some form of rental portion to the landlords, I recall you said quite clearly that there was no portion of the allowance that was fixed as the rental portion. Did you not say that?

Hon. Mr. Norton: I cannot be absolutely certain what I might have said on other occasions.

Mr. Blundy: That is exactly what I heard and others who were at that meeting got that as well.

Hon. Mr. Norton: These figures have always been part, but the thing is, we have been trying to move away from an adjustment to that shelter portion over the last five years for the reasons I have already explained.

Mr. Blundy: It looks to me as if you are trying to move away from it when it is not in the recipients' interests. For instance, when you now mention that if their rent is considerably below what you consider to be the rental portion of their payment, then, of course, it would be reduced. But what about when it is considered to be greatly above the portion of the rent? Is there then no change?

Hon. Mr. Norton: Only in cases where they might apply, for example, for shelter supplement—is that what it's called?—through special assistance, to the municipality involved in the cost sharing.

Mr. Blundy: But I recall quite distinctly you saying that there used to be that breakdown or decision on a certain amount of it being shelter allowance, but it is not so now. I remember you saying that.

Mr. Carman: Perhaps I could just attempt to clarify these facts that there is and there is not an amount that is identified for rent.

The requirements of the Canada assistance plan require every province to show one variable which is separate from the total amount of the allotment in order to qualify for cost sharing. In the case of Ontario, Ontario chose to show an amount as being applicable to, in this case, shelter.

The fact that this amount is set aside is only

for the purposes of the cost sharing and only because it is required by the federal government's rules to identify one independent part of the total allocation for a specific purpose. This is only for the purposes of cost sharing and is not intended in any way to indicate that the individual who receives that amount of money must use it for shelter.

That is why the minister is quite correct in saying to you there is not a specific amount which is allocated for shelter. But for purposes of federal cost sharing and for purposes of the calculation that Domenic Alfieri described earlier, there is a demarcation point, but it is nothing more than a demarcation point. It is not an allocation for shelter.

Mr. McClellan: I'm sorry, maybe if we take a specific family I can get it straight in my own head.

There is a mother with two children under eight. What is the maximum family benefit entitlement that she could receive; or do you have another example there?

Mr. Alfieri: Two children under eight?

Mr. McClellan: Yes.

4 p.m.

Mr. Alfieri: She would receive \$450, unheated.

Mr. McClellan: It would be \$450, unheated. Okay.

Mr. Alfieri: I am sorry, that is heated.

Mr. McClellan: Heated. If the full rent was \$200 a month, would she get \$450?

Mr. Alfieri: Yes.

Mr. McClellan: If her rent was \$150 a month, would she get \$450?

Mr. Alfieri: Yes.

Mr. McClellan: If her rent was \$300 a month, would she get \$450?

Mr. Alfieri: Yes.

Mr. McClellan: Does that make sense to you?

Hon. Mr. Norton: That is correct, if that is what you mean.

Mr. McClellan: No, I asked you, does that make sense to you?

Mr. Blundy: It does not matter what it costs her to live.

Hon. Mr. Norton: Going back to the concept of a pay packet, if one's income from employment is at a certain level, it does not vary according to what one may pay for accommodation.

Mr. McClellan: I was just asking you.

Hon. Mr. Norton: What we could have done five years ago, instead of what we did do, would

have been to apply the percentage increase each year to the rental portion. The total amount available to the recipient would have remained the same, but the amount allocated for rent would have appeared to have kept closer to inflationary rates and, in fact, might well have exceeded in a number of years the rate at which the rent went up, especially under rent review.

I do not think that one can be wedded to those figures when you understand they are mainly for administrative purposes.

Mr. McClellan: No, they are not. The problem is that there are real cases where, for a variety of reasons, subsidized housing is not available and people are paying these kinds of rents, rents approaching the market value in a place like Metro Toronto or any other big city, and it comes out of the food budget.

Hon. Mr. Norton: The point then surely is that you are not addressing primarily—now, at least—the issue of those figures you were talking about in the beginning in terms of shelter. You are raising your concern about the adequacy of the total allowance.

Mr. McClellan: Yes, and the primary problem seems to be that the allowance does not reflect the reality of market rents for those who are not so fortunate as to be able to get into subsidized housing.

I am pleased to be able to say that I understand what you are saying, but it does not make any difference to the family benefits recipient who may have to pay, for example, \$200 a month in rent, as opposed to 25 per cent of her income upon which this kind of rate structure is probably based. It is based on the assumption that all recipients are getting subsidized housing and that simply is not true. We have data on the number of family benefits recipients who are not in subsidized housing.

Within that group of people would you have a computer printout on what their average rent would be?

Hon. Mr. Norton: I do not know whether we have a computer printout but I think only something in the neighbourhood of the 12 per cent of the family benefits recipients are in Ontario housing.

Mr. McClellan: That is quite a few people. Do not say only 12 per cent.

Hon. Mr. Norton: I meant only because I was emphasizing there were a lot who were not. In fact, I was reinforcing points that you were making.

Mr. McClellan: There are a lot who are.

Mr. R. F. Johnston: Did you say 15.9 are in, or out?

Hon. Mr. Norton: No, in.

Mr. Carman: Thirteen per cent are in.

Mr. McClellan: Let us try it again.

Hon. Mr. Norton: All right. Domenic, you said that in family benefits there are—

Mr. Alfieri: There are 15.9 per cent in Ontario Housing and other public housing. Page 48, Mr. Minister, family benefits. Then we also have the general welfare assistance; 11.3 per cent of general welfare assistance is also public housing.

Mr. McClellan: Those are very stark figures. Do you have some data on the average rent that this group who are in the private rental market—that is, not in subsidized housing—are paying?

Hon. Mr. Norton: We have some data here; perhaps Domenic can interpret it.

Do you want to read that and interpret it, Domenic? You should be able to do it a little more quickly than I.

Mr. Alfieri: The question was, do we have some data with respect to the average cost of shelter, and the answer is yes. Then we were asked if we knew the rental cost to the family benefits population, and the answer is also yes. I don't know if you want me to read this aloud.

Mr. McClellan: No. Could you table that? It looks very complicated.

Hon. Mr. Norton: You now have the only copy—at least, the only copy that's here.

Mr. McClellan: You should look at it.

Hon. Mr. Norton: If you are going to discuss it, I would like to have a copy of it.

Mr. McClellan: I wonder if the clerk could make a copy. Then we could come back to it in a few moments and let the committee have the advantage of it.

I notice, however, from one set of figures that a mother with three kids pays, on average, \$200 a month. That is going to be pretty close to 50 per cent of income. It certainly is more than 25 per cent and more than 40 per cent.

Hon. Mr. Norton: I would like to know for which municipality that was an average.

Mr. McClellan: We will come back to that then. In the meantime there are a couple of other points.

Metro social services department has moved to computerize its operation, and one of the many marvels and benefits of the new computerized system is that it is now impossible to get emergency aid from Metro social services. By

emergency aid I mean what we used to be able to obtain.

Somebody who was in an utterly desperate financial situation—kids at home, nothing in the refrigerator and not a nickel to buy food—used to be able to go down to Metro social services department and be given right on the spot—not a large cheque, but at least enough money to buy some groceries and to look after the immediate emergency.

On September 26 I received a visit in my constituency office from a woman with three children whose husband had walked out on her. She didn't have a nickel. She went to the welfare office on Wednesday, September 24. They could not help her, so she came to our office.

We called on Thursday, and they still could not help her. On Friday, when we called again, they finally had been able to persuade the computer to come up with a decision. The woman's husband had run out on her the previous week and she had waited a week before applying for assistance.

I don't know what kind of nonsensical system this is. Perhaps the minister can explain why it takes two full working days to get some cash into the hands of a woman, with three children, who is in an utterly desperate situation through no fault of her own.

4:10 p.m.

Hon. Mr. Norton: I do not think it should. Perhaps Mr. Alfieri could comment on that.

Mr. Alfieri: If any delay has occurred in responding to an emergency, I can assure Mr. McClellan it is not the fault of the computer. Metro joined the MAIN computer system, which is a provinciewide network. Fifteen other municipalities are also on at present.

In converting from the former system to the MAIN system, the municipal assistance information network, nothing whatsoever was done to reduce the capacity of Metro, or any other municipality, to provide for emergency assistance.

I think Metro, as part of their computerization, also made a complete review of their intake procedures. As many of you know, in the old days Metro used to require all of its clients to come to the office and apply for assistance, which resulted in lengthy waiting periods in outer offices. At any one time one would see anywhere from 50 to 100 people, including children, waiting in line to get service.

What happened is that Metro changed the whole intake process from an office-bound intake to a home-bound intake, inasmuch as a home visit is required for anyone who requires assistance for longer than 15 days. But the capacity to provide for emergency issuances is

still there; they continue to have manually issued cheques.

I cannot explain why, in this particular instance, that did not happen. But I can assure you it would not have been the result of the change from their former system to the computer.

Mr. McClellan: Perhaps somebody needs to look into that then. My understanding, based admittedly on limited experience, is that the drill goes something like this: The applicant applies for emergency assistance. The computer is involved in some way—you are probably right that it is not the fault of the computer; "garbage in, garbage out," as they say. Then there is a home visit, which apparently must be done the next day—for whatever reason, I do not know—this is how they handle emergencies there. Then, having done the home visit, the worker has to have a discussion with the supervisor.

This three-step process means that it can take up to three days before the emergency cheque is issued. So I bring this to the attention of the minister and his staff, and ask them to review the emergency cheque issuing procedures with Metro social services.

I do not have any experience with other municipal jurisdictions, but if this is happening in Metro, it may be happening in other places, putting their people in enormously difficult situations.

The second matter I wanted to raise I have raised before—I have raised all these things before; I have been doing this too long. It is why the ministry does not provide some kind of a system whereby a client of the ministry can be given funds for deposit on an apartment.

Normally all landlords require a month's deposit in advance on rent. Somebody who is down and out and flat broke cannot rent decent accommodation simply because they cannot come up with the money for a deposit on the apartment.

I was talking to somebody at one of the room registry services in Metro who told me they get referrals all of the time from Metro social services of families who are completely out of money. The landlords on file will not take the family unless they can put a deposit on an apartment or on a flat. Metro knows that, and yet they don't do anything to provide the money for it. Your ministry does not have any means of making that money available; there seems to be a general policy against that kind of thing.

Surely you realize the consequence. Families are going into the Metro hostel and being split up; the women and children stay in one place and the men at another. I was told about one

family who were sleeping in a van—this is a family that had been to Metro social services and had been referred to the room registry service. The husband, wife and three children were sleeping in a van because they simply could not find a place.

What kind of irresponsibility is that on the part of Metro social services in the first place? Second, I do not pretend to know what the proper mechanism is but surely it is not beyond human ingenuity to devise a system whereby you can make the month's deposit available to help someone to get a decent apartment.

Hon. Mr. Norton: The problem from our point of view is trying to administer the services on a provincewide basis through our ministry—at least at this time; it may be possible to do it when the system is fully decentralized. There is the administrative problem of trying to sort out all of those individual cases to determine who would require it and who would not.

Mr. McClellan: I assume it would be discretionary. It could probably be administered municipally.

Hon. Mr. Norton: It is possible to do it now through special assistance which we cost-share with the municipality.

Mr. McClellan: Up to what amount?

Hon. Mr. Norton: I don't know. Do you, Domenic? Is there an upper limit on that—or is it in terms of the deposit amount? I presume it would be up to the actual amount.

Mr. Alfieri: That is no fixed limit.

Mr. McClellan: Does anybody do it? Does any municipality use special assistance to do that?

Mr. Alfieri: They do it, but very sparingly—just in unusual circumstances, at their discretion.

Mr. McClellan: If they did it—let's say we are talking about a rent cheque of \$150, to use a mythical figure—what would the province's share of that cost be—50 per cent?

Mr. Alfieri: If it is a general assistance client and not a family benefits client, it would be 50 per cent. If it is family benefits, old age security or other recipients of government benefits, it would be 80 per cent under supplementary aid.

Mr. McClellan: The problem, I suspect, is that the majority of these cases are general welfare assistance cases, and you do not cost-share them. You run them through your books so that you get the federal share, but there are no provincial dollars there.

I think it would be a helpful initiative for the province to take. I understand, from talking to

room registry staff, that it is an increasing problem, particularly in the inner city. The minister surely knows the stock of low-rent housing in Toronto city has shrunk to almost nothing, particularly in the traditional low-rent areas.

Cabbagetown is now about the poshest area in the city. When I worked for the ministry, that is where most of your welfare recipients could count on getting a flat, a room or an apartment at a cheap rent. But these places just do not exist any more. That is one problem.

Secondly, because of the shortage of that kind of accommodation, the only thing that is available are more expensive places which require a rent deposit, and the people cannot afford that. You are going to have to deal with this reality.

Let us go back to the figures that Mr. Alfieri gave us. On the first page it shows an average rent of \$214 for a family of three in Metropolitan Toronto. What is the maximum benefit that a family of three could get?

Mr. Alfieri: It is \$185—I am sorry, you wanted the maximum benefit?

4:20 p.m.

Mr. McClellan: Yes. What was the \$185 for? I think that had something to do with the rent calculation.

While you are looking, if we go back to the figure for a family of two, the average rent in Metro Toronto is \$192.

Mr. Alfieri: For the same family of three, two children and one adult, in need of premises it would have been \$450.

Mr. McClellan: That is our family that we were talking about before.

Mr. Alfieri: That is the lowest amount for a family of three.

Mr. McClellan: So you are talking about a lot of people in Metro who are having to take part of their food budget to pay for the rent. Whether you do it or not, a mother with the responsibility for budgeting has to make those category distinctions.

Mr. Alfieri: That mother in Metro would automatically be given, as shelter allowance, a \$50 supplement from Metro Toronto.

Mr. McClellan: Does each and every one of them get it?

Mr. Alfieri: If their shelter exceeds a certain amount, they automatically get it. If they are referred, then our staff routinely refers them to Metro.

Mr. R. F. Johnston: I guess you are thinking about the equivalent in a small town. The

small-town average rent for the same family is \$180, so there is about a \$30-odd difference there—I mean, they are much better off. Are there benefits like that in small towns as well that they could apply for?

Hon. Mr. Norton: Some municipalities are more generous than others—certainly Metro, I think. Metro, in particular, makes it almost universal. Some municipalities are more restrictive in their application of general assistance.

Mr. R. F. Johnston: Does that apply to any of the larger municipalities which might have higher rents? Do places like Hamilton, Ottawa, London and Windsor, for example, all have fairly lenient—

Mr. Alfieri: Most of the large municipalities have a shelter supplement program policy, whereby they subsidize excessive shelter costs of social assistance recipients. Some other municipalities do not have a fixed policy but do provide it on an individual basis. Some of the smaller ones do not have any.

Mr. R. F. Johnston: Because it is not compulsory there is no guarantee that persons with this kind of income would, like OHC tenants, say, be expected to spend only 25 per cent of their earnings on accommodation. There is no guarantee that the amount of supplement that might or might not be added would bring it down to a reasonable 25 per cent.

Mr. McClellan: It still does not leave you very much money—\$286 a month with the extra \$50. I would not want to have to raise two kids on a discretionary income of \$286 a month and I do not think anybody in this province should be expected to try to do that—because it is impossible.

Do you think a woman can provide all the necessities of life for two children on \$286 a month?

Hon. Mr. Norton: That does not represent the whole family income. There is also the family allowance, child tax credits, as well as the provincial tax credits, I guess, in all of the cases; which would add an additional amount. I am not sure what the total amount would be.

What would it be for a family of three, say, with two children under 12?

Mr. Alfieri: It is \$200 per child by way of tax credit, plus about \$23 or \$24 a month as family allowance.

Hon. Mr. Norton: Then there would be the provincial shelter tax credits. In all, there would be an additional amount of over \$100 a month from those sources, which would help.

Mr. McClellan: We are up to \$386.

Hon. Mr. Norton: After rent.

Mr. McClellan: Do you think that's good enough?

Hon. Mr. Norton: I don't know if it's good enough. It is better than the situation you started out dealing with.

Mr. R. F. Johnston: This also is an average. Let's remember that figure of \$214 is an average. I imagine there are a lot of people who are spending \$280 or \$290 in this city at the moment. They don't get anything more than the \$50 supplement whether they are spending the average of \$214 or \$280. The principle of how much a person should have to spend on rent, in terms of what is accepted for Ontario Housing and of people's expectations in general, is not strictly applied.

One of the reasons we brought in rent review was to try to keep rents down to a certain proportion of a person's income. That does not seem to be an accepted principle in terms of family benefits or general welfare assistance recipients. That is still not accepting the reality that 83.1 per cent, or whatever the percentage is, of our recipients are outside OHC and in the private market with these kinds of averages. Whatever mechanisms of evening out you may have, there is no acceptance of the principle that they should not be spending more than 25 per cent of their income on their housing.

Is that not a good principle to accept? It is an important principle that OHC is based on and it is a wise principle in general. For anyone who is buying a house it is always the guideline. Why does it not apply to FBA? When you have 84 per cent of your people in the marketplace, subject to the same kinds of fluctuations as the rest of us, why isn't the same principle applied to them? Don't you think it should?

Hon. Mr. Norton: We have been looking at ways in which we might address that issue more broadly but I am not in a position to discuss the specifics with you at the moment. It is clearly not a broadly based principle in our society at this point when you compare a low-wage earner with someone on family benefits, for example.

A family benefits recipient with two children would have things like dental care for children and the drug benefits that are provided. These provide them with some degree of security, at least, in terms of whatever the figure is after rent. If it is \$386, or whatever the figure was that Ross was quoting, that is a more secure figure for them than it is for low-wage earners, who would not have drug benefits or dental care provided for their children—although they may

have their OHIP premiums covered because of their level of income.

Mr. R. F. Johnston: Both could be living in Ontario Housing, where the principle applies.

Hon. Mr. Norton: Pardon?

Mr. R. F. Johnston: Both families, whether they had dental care assistances or whatever, could be living in Ontario Housing right next door to each other and enjoy the same protection in terms of the rent not exceeding 25 per cent of their income. Why don't those outside OHC have the same principle applied?

Mr. McClellan: I sense a certain closing in of the discussion.

Mr. R. F. Johnston: I think there is a full stop there.

Mr. McClellan: I assume you are looking at this—you always look at everything under the sun—but are not in a position to issue a discussion paper.

I am not being facetious. It is regrettable that the income security area, the most pressing area of social policy and the area that cries out most urgently for reform, is the area that is being ignored entirely for some reason, and I don't know why. After the effort of the income security review in the early 1970s failed and came to a halt, it seems as though everybody just said, "To hell with it, forget about it."

4:30 p.m.

Nobody appears to be doing any serious work, not on an interprovincial level, a national level or in their own provinces—with the possible exception of Saskatchewan—to try to reform the system. They are not doing it collectively and they are not building in whatever reforms are possible at the provincial level.

To be fair, you have made some initiatives with respect to the work incentive program. As far as it goes, we think that is a laudable thing for you to have done. But there are so many areas of discombobulation in the income security system, and nobody appears to be dealing in a creative or constructive way with any of it.

Hon. Mr. Norton: There have been a number of efforts, some of which you have already mentioned. To be effective, any major effort to address the problem of income support programs or income transfer programs has to involve both the federal and provincial governments. I believe the provinces have a commitment for a meeting with the federal minister for early in December. It will be our first federal-provincial meeting for a couple of years.

Mr. McClellan: Since 1978.

Hon. Mr. Norton: We were just about to have

one with Mr. Crombie when the budget was introduced. That meeting was to have been in January, but that came in the middle of an election campaign so the meeting did not take place. You are right; this will be our first one since 1978.

Mr. McClellan: Can you share the agenda with us?

Hon. Mr. Norton: To the best of my knowledge the agenda has not been finalized. The provinces have requested a list of items which might be included. This is a perennial.

Mr. McClellan: Is block funding on the list?

Hon. Mr. Norton: No, I do not think it is. It might be discussed but it is not on the list. Tomorrow night might add some other items to the list. I do not know what to expect in the federal budget.

Mr. McClellan: The answer to my question in a nutshell—

Hon. Mr. Norton: If we are talking about vulnerability at this point, I think I know what it is like to feel very vulnerable.

Mr. McClellan: It is regrettable because I think there are initiatives that can be taken. One of those initiatives has to do with the problems social assistance recipients experience with respect to rental costs. The province could deal with that. I think there are ways of responding in a more helpful way than has been done so far.

Again, for the umpteenth time, I urge the minister to look at ways of easing that burden on those people. Because they are robbing Peter to pay Paul. I know that.

Hon. Mr. Norton: I indicated that we have already followed your advice. We have looked. That is all I can say.

Mr. McClellan: But you have nothing to report. I hope that before too long, you will have something to report.

Unless somebody else wants to come in at this point, I will touch on another item that I had wanted to raise. It has to do with sheltered workshops. I do not want to spend a lot of time on it because I did that during my leadoff and we had some discussion when the minister replied to the leadoff.

Let me try to restate the concern that I was trying to raise, because it was twofold. Firstly, there is a discrimination between classes of handicapped people, depending on how they became handicapped.

If someone is injured on the job they are entitled to a modern system of insurance benefits, combined with an increasingly comprehensive rehabilitation service. We still have millions

of miles to go before that workmen's compensation system becomes fully comprehensive and totally adequate. The structure, at least, is there and people are compensated on the basis of some principles of equity. Whereas if one is so unfortunate as to have either a handicap from birth or become injured or handicapped as a result of an off-the-job accident, one is routed into the welfare system where one gets second, third or fourth-class treatment in comparison with what one would get under the auspices of the workmen's compensation program.

That is one problem that needs to be addressed by this government. This year, the International Year of Disabled Persons, is as good a time as any to do it.

The second problem I have relates to the specifics of your program to subsidize sheltered workshops. What we discovered when we did that informal survey of 18 workshops was there seemed to be a substantial number of handicapped workers and, I suspect, the majority, who are not receiving their maximum entitlement. They are not getting, in a combination of wages and social assistance benefits, the maximums they would be entitled to receive under, say, the Family Benefits Act and still remain eligible for benefits.

I understand what the exemptions are for part-time employment and yet people are getting infinitely less than they should. As a bare minimum, you should make sure that people who are working in the sheltered workshops get every penny they are entitled to.

I hope you understand what I am saying. I do not have the figures in front of me to know what that would represent in an individual instance. Perhaps Mr. Alfieri can tell me how much a single recipient would be entitled to receive in wages before his social assistance benefits would be terminated.

Mr. Alfieri: The basic exemption is \$75 and his work-related expenses are up to \$50. So, depending on his work expenses, he could have a basic total exemption of \$125 plus 50 per cent of the next \$100. If he earned \$225 and had \$50 in expenses he would be able to retain \$175 and have \$50 deducted from his social assistance. Anything over \$225 would come up at 100 per cent.

Mr. McClellan: Up to what? What is the cutoff?

Mr. Alfieri: It would depend on his needs on the other side of the scale.

Mr. McClellan: Give me a hypothetical figure.

Mr. Alfieri: If he were a single, permanently unemployable person, then the—

Mr. McClellan: What is the most? What is the total maximum a single person can get?

Mr. Alfieri: It would be \$240 plus \$175; \$415 would be the break-even point for that particular case. If it was a Gains case it would be \$215 plus \$175, which would make it \$490.

Mr. McClellan: We are talking about people in your sheltered workshops who are entitled to receive an income from all sources up to \$415 and still be eligible for family benefits, that is, the protection of the fringe benefit package. Yet, as I said in the leadoff, we have identified all kinds of workers who are getting ridiculously low levels of wages, as low as six cents an hour.

I do not understand that. Surely, when you are working out your subsidy formula, you would calculate in a decent level of wages for workers in the sheltered workshops.

Hon. Mr. Norton: I am going to sound a little repetitious, as well, because of our earlier discussion. It is quite a different matter if one persists in viewing these allowances or incentives as wages, as opposed to training incentives in a training setting.

4:40 p.m.

The intent of the program is that they are incentives related to the training the individuals receive in the workshop, and it is my understanding we encourage the shops not to pay on the basis of a uniform amount to all. In fact, within the program they vary them according to productivity, attendance, attitude and a variety of things within the individual program.

Mr. McClellan: I understand that. Let me give you an illustration.

The range in running a workshop is between \$10 and \$40 a month, depending on that combination of factors. That is how the differential works. I am saying you can retain a differential, but please do not try to tell me or anyone else that \$10 to \$40 a month is an incentive. Surely there is no reason why the differential cannot be something in the order of \$300 to \$415 a month or whatever the combination of figures your legislation permits.

Hon. Mr. Norton: If you are talking those kinds of figures then, in the case of those individuals, you are probably talking about a difference of between \$325 and \$340 or whatever a month, if you take into consideration the fact the individuals we are referring to would probably be on family benefits receiving, in many instances, Gains D—perhaps in all cases.

It is not a matter of a differential between \$10 and \$40. That is true in terms of the incentives within that individual shop, but if you take into

consideration other income—you say, why not between \$300 and \$415 a month?

Mr. McClellan: Okay. Yes, I understand.

Hon. Mr. Norton: It is still an incentive—to the basic amount they are already receiving.

Mr. McClellan: The point I made was invalid, but there still is nothing to stop you from paying people up to the level of the basic exemption plus the 50 per cent exemption. Then we get into the whole area of why you have not liberalized work exemptions for this category of people when you have liberalized them for those who participate in the work incentive program.

Mr. Anderson: It gets back to the basic principle of what is involved in the workshop and whether the workshop is a sheltered environment for some individuals to spend some of their time, whether it is actually a training program, whether it is an assessment program and whether there is, in fact, any productivity.

You make a good point when you compare it with the woman with one or two children who might, under the Win program, undertake to go out into the private sector and earn money over and above her allowance whereas, in a workshop, one may have an individual who is being heavily subsidized, not only for the workshop program but for many fringe packages that go along with it.

For example, many of the people in the workshop programs, who are relatively unproductive in any economic sense, are also being provided with transportation to and from the workshop on a daily basis and are being provided with other benefits.

Mr. McClellan: Some are and some are not.

Mr. Anderson: Some are and some are not, but this is a question of trying to relate the whole of the workshop program to one specific segment.

The workshop program has at least three facets, if not four, from assessment through to productivity. If one does not take those factors into account, one arrives at a conclusion that really cannot be equated with the woman who goes out and augments her allowances through employment. That is not a totally relevant position as far as the workshops are concerned.

Mr. McClellan: That is the point where I get lost. I think if someone is in a workshop, regardless of whether the nature of the disability is a physical or developmental handicap, and he is putting in the time and working to the extent of his capacity, regardless of what that level of capacity is, he is entitled to remuneration as though he was working.

It ought to be possible to structure the

subsidization of the workshops so there is a genuine recognition that people are working, regardless of the level to which they are working, and that there be a genuine incentive built into the thing.

I understand there are problems in view of federal legislation. I have seen recent criticisms of the federal legislation by the Canadian Council on Social Development and I assume there would be some initiatives on changing the federal legislation during the coming year. There are things you can do at least to make sure that, when you subsidize a workshop, you subsidize it at a level where each and every employee is able to have a sense he is getting something and not simply his social assistance allowance of six cents an hour.

Hon. Mr. Norton: The one thing on which we place no limitation is the productivity of the workshop. As far as I am aware, there is no upper limit on the amount that can be paid to the individual.

Mr. McClellan: Let us stop at that point because I do not understand that. My understanding is you first approve a budget for each workshop and the subsidy to the workshop is based on a formula of 105 per cent of the approved budget minus the revenue equals the subsidy. It seems to me that does freeze the wages.

Hon. Mr. Norton: Perhaps we could ask Mr. Reilly if he would like to explain that.

Mr. Reilly: Your interpretation of the formula is correct. The only word I would change there is 105 per cent of the approved cost as opposed to budget, but that is a moot point. The maximum we can fund is up to 80 per cent of the approved operating costs, or 105 per cent of the cost minus revenue, whichever is less.

Mr. McClellan: The point is, what constitutes the approved costs? Do the approved costs include the wages paid?

Mr. Reilly: That is right.

Mr. McClellan: You are, in effect, setting the wages by approving the costs. The costs are as approved by the Ministry of Community and Social Services. That is based on a rate of payment of whatever it is, 30 cents or 50 cents an hour for X number of employees. You are the ones who are setting the rates, so you cannot say the workshops are free to increase their productivity and to plough back the revenues to enhance wages because you have put a ceiling on that.

Am I wrong? I do not think I am wrong.

Mr. Reilly: No, you are not, but let us come at

it from a different direction. One does not start on the budget from the point of view of approving the wages. There is a broader philosophical concern. The workshop is primarily a program of patient rehabilitation to try to have people leave the shop, not stay there.

Granted, there will be situations where they cannot. The concept of normalization also applies. Looking at that line item in regard to the wages of the clients, what happens is that we have adopted the position we do not expect them to run a deficit on that particular line item, in that it is an incentive reward.

Basically, what we do on that particular line item is look at the revenue the workshop is bringing in from the sales of goods and services and the fees. From that we deduct the production costs. We recognize that is not an adequate indicator of total cost, but we go in the other direction and we deduct the production costs. Whatever the difference is, they can pay that in training wages, up to that amount.

4:50 p.m.

So if you have a workshop that is primarily serving people whose production is very little, it is likely their wages would be little. If you take an example of a big shop as run by Goodwill Services where their revenues are very high, then you will see that the wages can go as high as—in the survey indicated of the 1978 period—\$8,300 for some of the trainees in there at that time; the minimum wage in the province.

Mr. McClellan: It is not what they told us.

Mr. Reilly: No? This was contained within the workshop survey of 1978, which I made available to your research office within the past three weeks.

Mr. McClellan: Right. I have to confess to not having read it. I do know where it is, though. But when we talked to them, they said that they were paying a maximum of \$60 a month.

Mr. Reilly: I think they've got confused with what was the former forgivable under the family benefits legislation. But there is nothing to stop a person from going as high as they can to the point of being completely off income maintenance.

So your point is totally correct. One of the kind of caveats we put on that line item in the budget is the amount of production that shop is doing. Again, within the guise of normalization, we do not expect them to run a deficit based on that line item of the budget for what is primarily a training program.

Mr. McClellan: I do not want to beat this point to death, because all you have to do is look at the way workmen's compensation operates

its sheltered situation, say, at Costi Italian Community Education Centre. They pay an injured worker 75 per cent of his wages; that is 100 per cent compensation. That is a little different from 30 cents an hour or whatever it is. Even if it were something approaching the minimum wage, it is still light years away from what you are doing.

Surely, one thing you can do as an interim measure is when you are working out the approved cost you start with the wages and not with the other factors. There are other ways of applying the formula.

One of the ways you can apply the formula is to sit down and say: "Look, they've got so many employees who are receiving family benefits and each one of these employees is entitled under the legislation to earn this much money. So let's start with that as a base and calculate approved costs from that," and try to eliminate some of these disparities. Granted it is going to cost more money, but I think there are some equity demands here.

The other thing I would like to raise with you is the proposal that has been put forward by the Ontario Rehabilitation Workshop Council. They have made proposals to you that the workshops be permitted to pay a combination of social assistance benefits and wages as a wage package, rather than to have it broken up into a social assistance cheque and the relatively small amount they get from the workshop. What has the ministry's response to that been?

Hon. Mr. Norton: I wasn't aware there was a specific proposal.

Mr. Reilly: The position we have taken on that is that the wages in the shop cannot be totally confused with family benefits as far as the basic premise and the right of the individual are concerned. The point being that the person is entitled to that amount of family benefits and they can receive no less, or they cannot have that deducted from them by a workshop.

To have it operate, for instance, where the two are added together and they are paying it out based on things such as attendance, punctuality, production, skill learning, and that type of thing, and then assume they are going to give the person only 50 per cent of what he is entitled to, we have said, basically, the person has a right to three squares and a roof over his head, and that cannot be deducted from him based on some form of incentive.

Unless the combination of those moneys can be worked out and combined in such a way that it guarantees that the basic right of the individual is maintained and honoured, then we are not about to just pass it out at that point and—

Mr. McClellan: I understand the point you are making and that is a totally valid one, that people have a statutory entitlement to social assistance and that cannot be denied. But surely there are administrative ways of dealing with that problem. The Workmen's Compensation Board seems to be able to deal with this problem without a tremendous amount of difficulty.

Again, I do not want to belabour it. I think the fact that the government has commissioned a whole series of studies on sheltered workshops indicates that some people share some of the concerns I have been raising. I hope that the International Year of Disabled Persons will be seen as the appropriate time for the government to take some major initiatives.

Just to close on this item: I still think that the appropriate way to proceed is to take all of the rehabilitation programs which are presently dispersed throughout a number of ministries and a number of branches of the government and put them under one roof, probably that of the Ministry of Labour, so the program can be integrated into a provincial manpower program that has a mandate to provide employment opportunities for special needs groups. The programs can be standardized so you eliminate the distinctions between on-the-job handicapped and off-the-job handicapped, et cetera.

Until we do that, I do not think we are going to be able to cut through all this stuff. We are still going to end up with first-class treatment for some people and second-class treatment for others; and third- and fourth-class treatment for those at the bottom of the totem pole.

The Vice-Chairman: Are there any other questions on vote 2902?

Mr. McClellan: I still have a couple of points. Do you have anything?

Mr. R. F. Johnston: Just some information that I would not mind getting. I do not need it today.

Last year I raised the whole business of what was happening with the Ontario student assistance program grants and loans with the Ministry of Education and the possible interaction between that ministry and yourselves. I just want to get some background information, if I might.

Do you know how many family benefits recipients were enrolled in post-secondary education courses last year? Do you have any of that information?

Hon. Mr. Norton: We can presumably get it.

Mr. R. F. Johnston: Perhaps I could better get that through Education than through you.

Mr. Alfieri: Mr. Chairman, since we no longer take any part of the OSAP awards into

account, we have no way of collecting that data. The only way we could get it is by polling our field staff and getting some indication from them.

Mr. R. F. Johnston: No, I'm trying to get it from Education. I just wondered, in your incentive program and that sort of thing, if you had been looking at people who were upgrading themselves, and have any information broken down at all.

Hon. Mr. Norton: I recall seeing a figure of something like 400 in post-secondary education. I am not sure whether that was just universities or that was colleges and universities. But don't rely on that. We will see if we can—

Mr. R. F. Johnston: It was around 2,000 before. I was just interested in trying to get some comparative stuff, but I will go to the Ministry of Education for it.

Mr. McClellan: Thank you for that breathing spell.

I had some questions I wanted to ask on the developmental services program. The first thing I would like to ask about—

Mr. R. F. Johnston: Is there anybody we have missed, by the way, who would like to come back?

Hon. Mr. Norton: To have their day in court.
5 p.m.

Mr. McClellan: On May 20 the minister announced a program which I continue to categorize as a rescue program for retarded people who are in nursing homes and homes for special care. We applauded the program. It appears to be generously funded and adequately staffed and, at least on paper, it looks like a good program.

I notice in his news release of May 20 that the minister set a very clear timetable. In the fifth paragraph of his statement he said: "The first steps have been taken to assess the 400 children and young adults in these homes and all of these individual assessments will be completed by September 30 of this year. Training programs appropriate to their needs will be introduced as soon as feasible after the completion of each assessment."

Then he went on to outline the timetable for assessment and program development for other residents of nursing homes and homes for special care.

I really want to know how close to the timetable we are. As of September 30, 1980, how many individual assessments of children had been completed?

Hon. Mr. Norton: We are probably a little behind schedule on that.

Mrs. Malton: Mr. Chairman, Mr. McClellan, yes, we are a little behind. To date, approximately 130 functional assessments, 110 nursing assessments, 90 medical assessments and 50 social work assessments are complete.

Mr. McClellan: Was this all on the same group? Are we talking of a group of 140 or how large is the group that has had some kind of assessment?

Mrs. Malton: We are talking about the Brant Sanatorium in Brantford, which is 29 young people, the Lakewood Nursing Home in Huntsville, which is approximately 83. We have begun assessments at Ark Eden in Stroud, which has 42, and we have also begun assessments at Jann Lynn in Keswick, which has 33. The program is in process.

Mr. McClellan: Why are you so far behind?

Mrs. Malton: The policy began to be implemented about the middle of May. There have been certain administrative structures which have to be set up.

We are very anxious to involve the parents of these young people wherever possible, in fact, they have to be contacted initially. We have been very concerned that the assessments be of a high quality and have therefore taken some trouble to screen assessment personnel.

I am sure you are aware, Mr. McClellan, that the social work part of that assessment is the one that has probably taken the longest since many of these young people are a considerable distance from their family homes.

Mr. McClellan: When do you expect to have the assessments completed of the initial group of 400 children and young adults?

Mrs. Malton: I think we can assure you that this first phase of assessments of children and young adults will be completed by the end of December of this year.

Mr. McClellan: How quickly then will programs be developed for each of them?

Mrs. Malton: I think the earliest we can expect to see programs developed would be January 1981. That would be the first set of programs appropriate to the first set of young people who are assessed.

Judge Thomson: Perhaps I could say something as chairman of the steering committee for this. Part of the time that has been taken obviously has been because the size of the assessment was much greater than we had originally anticipated.

Mr. McClellan: How do you mean, the size?

Judge Thomson: I mean the number of components that are involved. For every child, you

have to do a functional assessment and a medical one, then a nursing assessment and the social work one. You need to do all the children in one residence so you can sit down and do some case planning and develop what is needed for that whole program.

The first one we did was Brantwood. We now are at the stage where the case conferences on all the children are in progress and almost completed. We have made a proposal to the Brantwood board that the home for special care move over and become schedule II. They are looking at it for a while because they wanted to plug into their long-term plans, which are to provide some programming in the community as well.

That is where I think the new programs will be going first, but it will probably be about January before the actual programs start.

Mr. McClellan: Surely you are not suggesting that the people at the Brant Sanatorium were reluctant to have themselves reclassified as a schedule II facility?

Mrs. Malton: They are pleased that this is certainly a possibility and would like it to happen as soon as possible, as indeed we would. But I think there will be some planning necessary so that it fits the long-term plans of these young people.

Mr. R. F. Johnston: Have only 50 of the social work assessments been done between May and now?

Mrs. Malton: We did not start the social work assessments in May, Mr. Johnston. The tools had to be designed, personnel obtained, staff at the management unit set up and so on. We did not start the social work assessments until July, really.

Mr. R. F. Johnston: So, between July and the present time, you have done 50. Everyone, I presume, has that kind of a need. You are expecting to finish by the end of December?

Mrs. Malton: We shall certainly have finished the functional, nursing and medical assessments. It might be naive, perhaps, to expect all the social work assessments to be done. We are finding, in fact, that some families are difficult, if not impossible, to trace.

Judge Thomson: The figure 50 is as of the end of September.

Mrs. Malton: These figures are mounting every day.

Mr. McClellan: We will just have to continue to monitor that. I am disappointed, Mr. Minister, that you have not been able to keep to the schedule. It is a matter of concern because we

are talking about almost 3,000 people. If we fall behind in the first phase, we will stay behind. If that pace continues it is going to take us a long time, maybe 15 years.

Hon. Mr. Norton: I think, Mr. Chairman, that Mr. McClellan, with his experience and background in the area of human services, will understand that often one is dealing with things that are very difficult to predict. One might say that the spirit has been willing but that it has proved to be somewhat more difficult and complicated than was originally anticipated. We will just have to continue to do the best we can as fast as we can. I don't think anyone would want to see us jeopardize the quality of the work that is being done in the interest of meeting a predetermined deadline.

Judge Thomson: Some of the time lost is time that will not have to be repeated—setting up the project, getting the people on board who are running the project in each region, clearing the plan with associations like the association for the mentally retarded, setting up the advisory group they sit on and having them review the form of assessment and so on, to make sure that we are introducing the program to their satisfaction. It was necessary to do all of that before we went forward with the assessments.

That is over with now. That setup can carry on now through all the children and into the adults. It will not be necessary to repeat that, it is in place.

5:10 p.m.

Mr. McClellan: You are saying that by the end of December you will have completed assessments of 400 children and young adults?

Mrs. Malton: Actually it is 340.

Mr. McClellan: What is the population of Brantwood sanatorium?

Mrs. Malton: Twenty-nine.

Mr. McClellan: Brantwood Sanatorium, Lakewood, Ark Eden and Jann Lynn are the only ones you are doing. That adds up to 340, does it?

Mrs. Malton: There are three nursing homes in the east and one in the north. We are now making contact with them.

Mr. McClellan: Why are we doing only 340, rather than 400?

Mrs. Malton: We are talking about children and young adults. Having analysed the most recent data, we can now say there are now 347 people under 21. Of course, if there is a nursing home in which there are people who are under 21 and people over 21, they are not going in to assess only those who are under 21.

If you choose to put people into slots, I am saying there are only 347 people under 21.

Mr. R. F. Johnston: But you are doing more than that. Which will you have done by the end of December?

Mrs. Malton: I said, I can assure you we shall certainly do our best to have completed the assessments on the children and young adults by the end of December.

Mr. R. F. Johnston: That is the 347.

Mr. McClellan: There is just one other item and then I am through on the vote—tentatively. I will try to be brief.

I spent almost one complete set of estimates dealing with an aspect of the developmental services program and the slowness in implementing the recommendations of the Williston report. We talked, in particular, about the need for residential facilities for children in the Metropolitan Toronto area. At that time—I think it was 1977 or 1978—the ministry had promised to develop a resource centre with satellite group homes.

Originally the ministry wanted to build a mini-institution near Highway 27 and 401—a marvellous site. They were persuaded not to do that and to develop instead decentralized facilities.

We have raised questions about this every year since but it still does not appear to have materialized. Now I see, on page 85 of the briefing book, that the ministry has entered into an agreement with Extendicare Limited to provide two group homes, with eight beds each, in Metropolitan Toronto.

My first question is, does this replace the resource centre and the satellite group homes that we were talking about in previous years?

Hon. Mr. Norton: No, it has not replaced the resource centre.

Mr. McClellan: Is this now the network of satellite group homes?

Hon. Mr. Norton: No. I suppose what we are talking about here can be described as an initial attempt to develop the necessary experience to proceed with the group homes.

It became clear to us that there was some very real concern about the appropriate way in which to deal with severely and profoundly handicapped children in that kind of setting—particularly the one that involves children—so we established these two homes in conjunction with Surrey Place Centre.

We hope this will provide an opportunity for training people from across the province in dealing with severely and profoundly handicapped children in a group home setting and

that in the course of developing the programs in this home we, too, will learn what is the most appropriate way in which to do it.

I think you have to bear in mind that dealing with severely and profoundly handicapped children in a group home setting is a relatively new experience, not only in this jurisdiction but probably in many.

In the meantime we have also, as I think you are aware, made it clear that it is not our wish to develop group homes for moderately retarded children. It is our feeling that if it is not possible for moderately retarded children to be with their biological family, the next choice would be that they be in a foster home setting.

At the inception of this I was deeply concerned that we might end up with the development of a network of group homes for moderately retarded children and, in other words, end up with mini-institutions, one might say, for children who could function within a family setting.

Perhaps Dr. Farmer would have some comments he would like to add to that in terms of severely and profoundly handicapped children in a group home setting.

Mr. McClellan: I am not sure that is necessary. Let me just ask you, what is the status then of the resource centre that I understood would be built somewhere in Etobicoke and the network of satellite group homes that would be related to that?

Hon. Mr. Norton: At the moment we are not proceeding with that until we have the necessary experience and knowledge to satisfy ourselves that we can develop the satellite group homes for severely and profoundly handicapped children with the appropriate amount of expertise.

Mr. McClellan: Why did you go the route of tendering it out to the private sector rather than use expertise within the ministry or within the network? I do not know what particular experience Extendicare has in providing services to severely and profoundly retarded adults. The only people I know who have experience in this province are either the ministry itself, those who run the schedule II facilities or those who are running programs under the auspices of the local associations for the mentally retarded.

Hon. Mr. Norton: Perhaps the deputy could comment on that. Before he does I would want to emphasize that Surrey Place Centre is very much involved in these programs. It is not without ministry involvement. They are closely involved in the establishment of programs and the supervision of the homes.

Mr. Carman: Mr. Chairman, the reason that the project appears to have been tendered out

to the private sector was that we did not in the initial instance make the assumption that it would be the private sector that did eventually get the contract. We put out a request for a proposal, expecting that an association for the mentally retarded would come forward and make a proposal to the ministry that would be acceptable and within the requirements that had been set out by Surrey Place and within the availability of dollars that we had in our budget to fund such a project.

It turned out, though, that the only acceptable proposal, after the period of time had passed, did come from the private-sector firm. As a consequence, the decision was made to award the contract to the firm that had satisfactorily complied with all the criteria Surrey Place Centre and the facility services division had initially established.

We were, I think, somewhat surprised that Extendicare Limited would be interested, and were surprised, too, that their proposal met the requirements, whereas the proposals from the other suppliers did not. But we would have been happy to have accepted a proposal from the nonprofit sector, if it had met the requirements in the request for proposal.

5:20 p.m.

Mr. McClellan: What is the total amount of the contract with Extendicare? And secondly, is it on a per diem basis —

Mr. Carman: Dr. Farmer will have the details on the work with the Ontario contract, but it is on a per diem basis.

Mr. McClellan: Perhaps you could share that.

Dr. Farmer: The budget has been established at an overall cost of approximately \$350,000. It runs at a per diem of about \$60 a day; \$59, I believe, for adults and \$60 for children, or close to it.

Mr. McClellan: Is there a profit factor built into the cost?

Dr. Farmer: As a matter of fact, during this first year, the profit factor that is built in, which normally would be seven to 10 per cent, is one per cent. Obviously that will be modified and corrected, I am quite sure, when the next contract is signed.

Mr. McClellan: From year to year?

Dr. Farmer: Yes.

Mr. McClellan: As I said, we shall see.

Hon. Mr. Norton: I think what we should do is try to negotiate with them, using this year as a base year, that their contract would be increased, in terms of profit, at the same rate of increase as that of the family benefits recipients.

Mr. McClellan: The other project is permanently in limbo?

Mr. Carman: The resource centre?

Mr. McClellan: The resource centre and the satellite facility. So this does replace it—the answer to my first question is yes.

Hon. Mr. Norton: No, a replacement surely suggests that this is it.

Mr. McClellan: It is.

Hon. Mr. Norton: I do not regard that as being the case.

Mr. Carman: Mr. Chairman, I think an important part of the Surrey Place involvement is evaluation. In addition to the supervision the minister mentioned, the project is regularly being monitored to determine the success the project has with mentally handicapped adults and children, and recommendations will flow from that evaluation in terms of what ought to be the network that is required for this kind of person in a metropolitan area.

Until the evaluation is complete, it would be inappropriate to be making detailed plans for a resource centre, because we are not certain what kind of total requirement these people are going to need from a central resource area.

I think already the evaluation has given us a couple of interesting surprises. For example, we had anticipated that the children would probably accommodate themselves fairly quickly to the new setting and that the adults would have more difficulty, because most of them had spent a very considerable number of years in Huronia. Interestingly enough, it was exactly the reverse of that. The adults accommodated to the city much more quickly than did the children.

Until we really have some experience, until we can find out what these people's needs are going to be for a resource centre, and until Surrey Place can provide that information, it is inappropriate to do detailed planning around a fairly large capital facility.

Mr. McClellan: Are both group homes established and operating?

Mr. Carman: Yes.

Mr. McClellan: Perhaps rather than saying more at this point, I would ask if I could have a tour, perhaps under the auspices of somebody from Surrey Place.

Hon. Mr. Norton: By all means.

Mr. O'Neill: Just before you leave this vote, I think with the statement that the minister put out today regarding the Prince Edward Heights matter, I would like to leave with you a list of all the people involved in the advocacy organization. I feel that since they had received those

minutes, the same minutes that I received, they should receive a copy of the statement you gave today, and possibly be on a mailing list when you come out with the other details. So perhaps I may leave this with you, Mr. Carman.

Hon. Mr. Norton: We do not have that list at the present time.

Mr. O'Neil: Maybe they could receive that. I think they should be aware of it. I would also say I have spoken with Dr. Purificati and he has reiterated his invitation for me to visit Prince Edward Heights and he assures me that it will be the same when I am there as when I am not there.

So I will take him up on that, and look forward to your other details that you will be supplying us with.

Hon. Mr. Norton: Thank you very much. I want to emphasize that nothing in what I have said was intended—as I think I did emphasize—to reflect upon the parents' group. I think they were provided with information based on that report, and accepted it presumably in good faith. I agree they ought to be entitled to know that I think there are some very grave deficiencies.

Mr. O'Neil: I would hope with me supplying that list, you will supply them with those comments you made today.

Mr. R. F. Johnston: Mr. Chairman, did we deal with the matter of the senior volunteer program previously, when I was not here? The senior volunteer program that you have? Was that dealt with at all?

Mr. Blundy: No.

Mr. R. F. Johnston: I would like to ask a couple of questions about that program if I might. The program has been around for a long time. I want to see if Dorothy Singer would be willing to come up to the front. I saw her nodding off back there and we can't have this.

Hon. Mr. Norton: It's just that Mrs. Singer is such a charming woman that you wanted to have her on deck again before the end of this vote, I know.

Mr. R. F. Johnston: Absolutely. She doesn't get a chance any more with this awkward way of doing things.

The senior volunteer program has been around for a long time and, as I recall, during last year, there was going to be a fairly major expansion of it outside of the small northern town base where it was developed, and the budget amount last year was \$248,000. We spent \$82,000 which, in fact, was only an increase of \$5,000. I gather nothing much happened. But this year we are up to an estimated \$256,000.

I am wondering if there is a plan for a major expansion of that program, and what the plans are, if that is the case, or whether this is just to give some budget flexibility to other items in that book.

Mrs. Singer: The plan was to move the program into municipalities larger than 25,000 population. The money was put into the budget last year, but did not move in the light of our decentralization. The same amount was put forward this year, and it is anticipated that it will move. I cannot give you the extent to which progress has been made, but we can get those figures for you.

Mr. R. F. Johnston: How many volunteers were there in the service last year?

Mrs. Singer: About 130 at the last count.

Mr. R. F. Johnston: I cannot remember what it was the year before, but that is not a very large growth at all, is it?

Mrs. Singer: The majority of those are up in the north where the program had been projected for the most part, and concentrated for the most part.

Mr. R. F. Johnston: The plan for this year is to get into areas larger than 25,000. The needs in areas with populations larger than 25,000 are quite different, and the ability to be the senior citizen ombudsman style of person on an individual basis is much more difficult, obviously, because the connections are fewer, and there are so many more organizations and services available, that sort of thing.

What is the plan for restructuring that? Are you going to have teams of people in towns of larger than that number?

Mrs. Singer: I think the focus is not necessarily going to be on the role of ombudsman, but rather to use volunteers in relation to services as the volunteer is required, not necessarily as the advocate role in there.

Mr. R. F. Johnston: So, deliverers of service actually?

Mrs. Singer: No, facilitators of service I would say; facilitators of the delivery of this service.

5:30 p.m.

Mr. R. F. Johnston: And who will be in charge of organizing it?

Mrs. Singer: The area offices are organizing these. This is no different from what had happened before. It was the consultants who took the major role and they will continue to take the major role in that regard.

Mr. R. F. Johnston: What is happening in terms of recruitment?

Mrs. Singer: They are being recruited at the local level. As I indicated, I am not that familiar with the figures at this point.

Mr. R. F. Johnston: I would be interested in getting some of the information about what has happened to date, and what the plan is like for the year, if that would be all right. Thank you very much.

The Vice-Chairman: Any other questions on 2902?

Mr. McClellan: Just one question. I still do not have the answers to the list of questions that I have submitted from last year's estimates, but there is one in particular I wanted to raise now under the developmental services program. That was how many people, if any, were discharged from schedule I and schedule II facilities into homes for special care, between 1975 and 1978?

Let me just say why I am asking this. I continue to be amazed at the growth in the population of developmentally handicapped people in homes for special care. And I don't know why that population continues to grow, when I am assured over and over again that the only way somebody can be admitted into a home for special care is on discharge from a provincial facility. And yet I am also told over and over that no, we never discharge anyone into homes for special care from our provincial facilities. So there is a mystery here somewhere.

Some people, who are more paranoid than I, would suggest that a process of laundering takes place, whereby people are admitted into schedule I facilities for purposes of an assessment and then discharged into a home for special care without ever filling up on the book as a resident of the schedule I facility.

I don't know whether that was a practice that went on in the past. I am told that it was, and I don't know whether it is a practice that continues to go on.

I have been frustrated over the course of the last three and a half years in trying to get an understanding, first of all, of how many people there are in homes for special care, and we finally got that taken care of after being given a number of false sets of figures. Then, finally, I go back to the question, where did all those people come from? How did they get into homes for special care?

Hon. Mr. Norton: The answers to those questions that you re-presented at the beginning of the estimates—it was my understanding that you wanted those answers in writing. We have those almost completed I think, and perhaps we can have them for you by tomorrow. And even if

they may not fall within whatever vote we are on tomorrow, I for one would consent, if the committee is willing, to reopening the appropriate vote for purposes of further discussion if you wish, at that point.

Mr. McClellan: Okay, that's good.

Hon. Mr. Norton: Mr. Chairman, following up on the question of accommodation for handicapped children in the Metropolitan Toronto area, I think Judge Thomson had a point that he perhaps would like to address briefly before we leave this.

Judge Thomson: I just want to point out, Mr. Chairman, that independently of the homes you are talking about, we are opening a number of community MR residences in the Toronto area. There are now about 118 beds in Toronto, and 34 of those were open over the last short while, the largest program being the new Ceci program, which has 24 beds in it. We are hoping that about another 32 will open between now and the end of the year.

In addition, we have allocated money for about 20 specialized foster-care beds for mentally retarded children as well. That is a separate development, apart from the two homes you were talking about that Extencicare is involved in.

Mr. McClellan: How many children will that network of facilities accommodate within Metro?

Judge Thomson: When one is finished and one adds 32 to the 118, it is 150 plus foster-care beds; that is, 170 beds in total in this area, apart from those others.

Mr. McClellan: How many children are in schedule I facilities or schedule II facilities from the Metro area? Do you have that figure?

Dr. Farmer: Schedule I from the Metropolitan Toronto area?

Mr. McClellan: Yes.

Dr. Farmer: It is 134 children and 909 adults. That is schedule I. For schedule II, it is 34 adults and 92 children.

Hon. Mr. Norton: You gave the adults first and then you gave the children first. That figure of 92; was that the children?

Dr. Farmer: There are 92 children in schedule II facilities.

Mr. McClellan: Were those the facilities George Thomson was talking about for children or for adults and children?

Judge Thomson: Those are for children. Twenty of those beds are at the Charlestown Residential School in Caledon, so 118 are for Toronto itself. The 32 and the 20 I talked about afterwards are also Toronto beds.

Mr. McClellan: Do the beds you are talking about accommodate any or all of the children Dr. Farmer is talking about?

Judge Thomson: Following the normal policy, half of the children will be from facilities and half will be from the community.

Mr. McClellan: When will all your beds be in place?

Judge Thomson: The original 118 I told you about are in place. The 32 we hope to have on board between now and the end of this financial year. We hope to have the 20 foster-care beds on board between now and the end of the financial year.

Mr. McClellan: You still have a long way to go.

Judge Thomson: We still have 52 of those yet to open this year; the 32 group home beds and the 20 foster-care beds.

Mr. McClellan: Half of those will be for children who are currently in either schedule I or schedule II facilities.

Judge Thomson: That is right.

Mr. R. F. Johnston: That leaves about 200 kids in schedule I and II facilities, slightly less than 200.

Mr. McClellan: The improvement from zero—

The Vice-Chairman: Do you have some comments, Mr. Minister?

Hon. Mr. Norton: I was just wondering if we might get some guidance from the committee. Will this complete the committee's examination of issues relating to the provincially-operated facilities or would you want Dr. Farmer to come back? I am not sure since the—

Mr. McClellan: As far as I know, yes.

Hon. Mr. Norton: As far as you know now, yes. Can you give us a little advance notice?

Mr. McClellan: I will not raise it tomorrow and if I need to raise it on Wednesday I will let you know tomorrow.

Hon. Mr. Norton: Okay, as long as Dr. Farmer need not come back unless called by the committee.

Mr. R. F. Johnston: You would not want to miss it though, would you?

Hon. Mr. Norton: I never like to do things that are self-serving but, in the area of our services, it is nice once in a while to have an objective comment from someone who is outside the jurisdiction. Recently, we received a letter from a gentleman by the name of Fred Harshman who is co-ordinator for the western region in Canada of the National Institute on Mental Retardation.

5:40 p.m.

A few years back he happened to have been employed in one of our provincial facilities and he had occasion to see a type of program that I had not seen and did not even realize was in being. I would like to read into the record for the benefit of the members of the committee this objective and modest comment from this gentleman:

"Dear Sir:

"I worked at the adult occupational centre in Edgar 10 years ago and visited the Ontario Hospital in Orillia many times. It was a very depressing place then, to say the least.

"I do, however, want to give the staff of the Huronia Regional Centre a compliment. I saw the CBC Man Alive program last evening. The work of Reverend Peak, your chaplain, is most encouraging and I hope to use his services in December for a seminar on mental retardation and the role of the church. What impressed me during the program was the remarkable improvements that have been made at Huronia, both to the interior environment and the appearance of the residents. The concept of 'normalization' has obviously been implemented. My congratulations go to the administration and staff for bringing about changes once thought to be impossible.

"I was also pleased to learn the process of repatriation to the community is continuing. Who knows what changes another 10 years will bring?

"Keep up the good work."

It is nice once in a while to let the staff know of people who, having been removed from this jurisdiction, come back and have a look at what has been accomplished in the past 10 years. Those of us who are directly involved may find it difficult from time to time to see the progress because of our close involvement with it.

Mr. McClellan: As Elie would say, "Don't tease the bears."

Hon. Mr. Norton: Mr. Martel, having been the critic, as he said the other day, in 1971, 1972, 1973, 1974 and maybe 1975, perhaps ought to be given the opportunity of going back and having a look at what has been accomplished under your tenure as critic.

I just wanted to get that before the committee and on the record.

Mr. R. F. Johnston: That is the first generous thing we have heard from the west about Ontario. It sure does not meet with what I ran into on the select committee on constitutional reform, I will tell you.

Hon. Mr. Norton: Perhaps Community and

Social Services ought to be the lead ministry on the constitution.

The Vice-Chairman: Are there any other questions on 2902?

Vote 2902 agreed to.

The Vice-Chairman: Would anyone like to start on 2903?

Mr. Blundy: There is no use starting on that now.

Mr. McClellan: I do not have my material here on the children's services division. Perhaps we could adjourn.

By way of reassurance, I do not see any difficulty in finishing the estimates by the completion of this week.

The Vice-Chairman: Does the committee concur that we adjourn until immediately after question period tomorrow afternoon?

The committee adjourned at 5:44 p.m.

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Malton, A., Project Co-ordinator, Homes for Special Care

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Singer, D., Program Co-ordinator, Senior Citizens

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No. S-34

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Community and Social Services



Fourth Session, 31st Parliament

Tuesday, October 28, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

TUESDAY, OCTOBER 28, 1980

The committee met at 4:21 p.m. in committee room No. 1.

MINISTRY OF HEALTH REPORT — 1978-79

Mr. Chairman: I call the committee to order. Mr. Conway has a matter he wants to deal with at this time.

Mr. Conway: Thank you very much, Mr. Chairman. It is a matter of procedure for the committee generally. I have discussed the matter with you and Mr. Breaugh of the New Democratic Party and it has been discussed with the government House leader.

It concerns the reference I made on the opening day of this session which sent the annual report of the Ontario Ministry of Health for 1978-79 to this committee, so that we could, reasonably quickly, examine the financing of public hospitals in Ontario. In fact, my reference called for it to be done immediately.

I have spoken with my colleagues and it is our desire that this reference be done immediately after the Community and Social Services estimates, which I understand will conclude some time around next Monday. I have spoken with Mr. Breaugh and he has indicated his colleagues feel they would prefer to deal with the estimates of the Ministry of Labour.

I wanted to indicate that we in the Liberal Party are most anxious to get on with this quickly. I think it would be useful to have the matter referred, if possible, to the steering committee of this standing committee. I have not spoken with anyone from the government caucus, but Mr. Breaugh and I would be prepared to meet on Thursday to discuss the ordering of this particular business. I have a proposal I would like to submit, but I think the timing is critical.

Mr. McClellan: I would suggest the timing should be dealt with by the House leaders. I understand they are meeting tomorrow.

We are not talking about putting anything off, but I think both parties will have to make a number of adjustments of work assignments if there is a shift from the Labour estimates, which were scheduled to start as soon as we complete

Community and Social Services, to the hearings on the annual report of the Ministry of Health.

Mr. Conway: For the benefit of the minister and the member for Bellwoods: It was our understanding that following the Community and Social Services estimates, we would proceed with the Health reference. Others have a different idea or understanding of the order.

I have spoken with our House leader, and I have a note from the government House leader which indicates he understood that we would proceed to the Health reference after Community and Social Services. I think the House leaders will indicate that it is for this committee to order its own business. I understand from my House leader that the order is really not of any great consequence.

My caucus takes the view that both items should be dealt with before Christmas and prefers to see that the order is Health and then Labour. I understand the preference of the member for Oshawa is to reverse that order. I suggest that the steering committee meet on Thursday, if possible, to order our own business.

Mr. McClellan: I do not have any problems with that. I am just anxious not to be imposing work assignments on people who are not here. I see Mr. Breaugh is on the steering committee.

Mr. Chairman: If that is acceptable, perhaps we could leave it on that basis. The timing is not quite as critical as it once was, since Labour estimates have been reduced from 23 to 15 hours by order of the House. I presume we can deal with both matters quite nicely before the Christmas break.

Mr. McClellan: Just a question of Sean. Are we having hearings?

Mr. Conway: The intention that underscored the resolution was that we undertake hearings in the Legislature. At the very least that would involve witnesses such as the Ontario Hospital Association, certain of the labour unions and professional groups that are involved, as well as selected, specific hospitals that have a particular grievance under the current funding arrangements.

We were quite agreeable to entertaining any suggestions from the other two parties in fleshing out that particular mandate as time allowed, but that is what I imagined to be the core of the reference.

Mr. McClellan: During the steering committee's meeting on Thursday, maybe you could have a look at the timing in terms of being able to schedule as many witnesses as possible. I think the most useful part of the hearings that we held in the first referral of the annual report of the Ministry of Health, at the time we dealt with Lakeshore Psychiatric Hospital as well as the hospital funding question, was the opportunity to have a good number of witnesses here. I think it is important that be done again.

Mr. Conway: The member for Bellwoods can be assured that is certainly our desire as well.

I understand that the steering committee for Health purposes consists of the member for Oshawa, the member for Mississauga South (Mr. Kennedy) and myself. The government caucus may wish to nominate someone else; I have not had a chance to speak with the member for Mississauga South.

I want to inform the clerk that for purposes of Health references in the past those three members have, by and large, represented the steering committee. It may change, but those are the three people who have dealt with these matters in the past.

I thank you for your indulgence.

Mr. Chairman: Thank you, Mr. Conway. We can leave it to the striking committee to deal with it at your meeting on Thursday. You will report back to the committee on your decision.

Mr. Conway: The steering committee should make a report on Monday, perhaps.

Mr. McClellan: We will finish these estimates tomorrow, I am sure.

Mr. Conway: I was under the impression they would not finish until Monday.

Mr. Chairman: Our hours would extend beyond tomorrow, but perhaps the committee has exhausted itself.

Mr. Conway: With the presence of the member for Bellwoods, I cannot imagine that as a real possibility.

Mr. McClellan: I have been talking nonstop for two weeks.

Mr. Conway: In any case, I hope the steering committee can report on Monday to you and other members of the standing committee on what is discussed and decided at the Thursday steering committee meeting.

Mr. Chairman: We have lots of work in any event.

ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES (continued)

Mr. Chairman: The minister wishes to report.

Hon. Mr. Norton: Thank you, Mr. Chairman. If I can keep all the different issues separated and talk to each one separately, I would appreciate that.

About a week ago, there were a number of requests made of me by the committee. The first one I will deal with is the resolution of the committee which requested that I table the final reports of each of the operational reviews of the children's aid societies.

I explained at the time the predicament that I perceived myself to be in, in terms of the understanding and the agreement with the societies that the final reports were the joint property, so to speak, of the ministry and the society. I requested that before the committee took further action, they afford me an opportunity, through our staff, to see if the societies would agree to tabling the reports.

4:30 p.m.

We have some of the reports here for distribution to you now. In terms of a general response, the societies have been very co-operative in trying to arrive at a solution that would meet the committee's request. With the exception of two, the societies we have heard from so far are willing to table their final reports when they are completed.

The two referred to are willing to table summaries of their reports, along with their work plans. In both cases the reports also dealt with and identified certain individuals—that is, certain personnel matters were raised in the reports. I can only assume that if they or the review committee had anticipated the reports would become fully public documents, that reference might have been avoided in the final draft. They are prepared to table the summary but are reluctant to table the full report for the reason mentioned.

Mr. McClellan: Which societies are these?

Hon. Mr. Norton: They are Peel and Leeds-Grenville. There is a third one where there is a bit of a problem and I cannot understand why; I think it is probably the most positive report in the whole province. That is the one for the Prince Edward children's aid society. It has agreed to release the work plan and the recommendations of the report but is reluctant to release the report itself.

Mr. Sweeney: Excuse me, Mr. Minister. What is the work plan? I am sorry, I don't know that term.

Hon. Mr. Norton: Following the receipt of the final report, each society is given a period of three months in which to prepare a work plan which will lay out how they will implement the recommendations in the report, in co-operation with the ministry.

Mr. Sweeney: An implementation plan?

Hon. Mr. Norton: That's right.

Mr. Sweeney: Thank you.

Hon. Mr. Norton: We have three full reports and one summary that we can distribute to you today. The others will be distributed to you as they become available.

Mr. McClellan: I am confused. I am not sure what you are saying.

On page 103 of the program and resource summary, there is a list of 10 societies for which operational reviews have been completed, right?

Hon. Mr. Norton: I thought it was nine.

Mr. McClellan: I am referring to page 103 of the orange book. But I already have the Hastings report, so that makes it nine.

Hon. Mr. Norton: The Kapuskasing one, which is listed there, is not final yet.

Mr. McClellan: Of the nine that we requested, the one for Kapuskasing is not at the final report stage; two have refused and one is a kind of a conditional—

Hon. Mr. Norton: Mr. Ozerkevich will explain.

Mr. Ozerkevich: There are three full reports here—Norfolk, Essex Roman Catholic, Hastings—and a summary from Peel children's aid society along with their implementation plan.

The Sudbury report will be made public by way of press conference by the society, and through this ministry on November 6.

Prince Edward children's aid society has elected to release only their work plan and implementation plan, plus the recommendations.

The Haldimand family and children's services will make their report public at the end of November, along with their work plan and implementation plan. They are still working on their implementation plan.

The Temiskaming family and children's services has released its implementation plan and recommendations.

Leeds and Grenville family and children's services will be releasing its report and work plan on November 15. Sorry, Leeds and Grenville will make a summary available rather than a full report. That is one of the societies with an issue related to personnel.

Mr. McClellan: Sorry, Temiskaming, again, is doing what?

Mr. Ozerkevich: Temiskaming has released a set of recommendations made to the society and to the ministry and their implementation plan.

The Kapuskasing family and children's services report still is not final. That should be final shortly.

In addition to the material we have presented, we have also summarized the recommendations made to the ministry and the progress that has been made on those to date. There is in the neighbourhood of 114 recommendations.

Hon. Mr. Norton: I am prepared to provide you with the ones we have at present and to undertake to provide the others as they are available. I am not sure whether that meets the wish of the committee or not. That is something on which I seek the advice of the committee.

Mr. McClellan: That still represents a problem for me. I cannot speak for anybody but myself. I don't want to be intransigent or particularly stubborn on the issue. What I had hoped was we could obtain the final reports once the implementation plan had been developed. I think that was one of the concerns the minister raised, that it was not fair to anybody to release the final report of the operational review until the work plan had been developed and there was a way in place of remedying any problems identified.

On reflection, I think that is valid position and one I would be prepared to accept. It presents some difficulties in the work of this committee, but if we are trying to be reasonable, that is a legitimate request made by the minister and one I would be prepared to accept.

That does not seem to be what we are getting, though. What we seem to be getting is more limited than that. There still appear to be four of the 10 which flatly refuse to provide the final report of the operational review, regardless of the status of the work plan.

I find that a real difficulty because, as I have said before, it is quite improper for those documents to remain, in effect, secret documents when they deal with a matter as urgent as the protection of children and, secondly, when they appear to contain, not just criticism of the children's aid society but also criticism of the ministry itself.

I don't know whether I can throw the ball back to the ministry at this point and seek from the minister a commitment to provide, in accordance with the motion passed by this committee, the final reports of the operational reviews for each of those societies once the work plan has been completed.

4:40 p.m.

Let me ask the minister whether he is prepared to go that far, we having compromised with respect to the position we have taken, and whether he is prepared, in the light of the motion of this committee, to make available the final reports once the work plans have been completed.

Hon. Mr. Norton: Is that with expurgated versions with respect to—

Mr. McClellan: I meant to deal with that, too. If there is material in the final report that reflects on any individual, it is entirely appropriate for that to be removed. I have absolutely no interest whatsoever in any kind of witchhunt against individuals or obtaining confidential personnel data. Let me make that clear.

Hon. Mr. Norton: I am prepared to make another approach to the societies that fall into that category to see if, with the expurgation of any reference to personnel, they would then be willing to release the final report along with their work plan.

As I explained to the committee earlier, I feel that in view of the agreements that have been entered into I am not in a position to table the documents unilaterally. As minister, I have no objection from our side to those documents being made available, providing that any sense of the personnel matters might be removed. I will undertake to do that but I cannot guarantee that I can produce them.

Mr. Blundy: If we are now going to be able to get the reports—I believe you said three reports were fully available now, there are two where there are summaries only and one where there is the work plan and the recommendations. I believe these reports, taking them as a whole, are going to show many common problems in children's aid societies. We are going to get a good picture of the problems faced by the children's aid societies in Ontario. I am willing to go along with that at this time.

When we see the reports now available, if there is justification for further study of all reports, I would reserve the right to be able to say so at that time, but I believe the problems we are going to see are going to be common to them all. I think this would be sufficient and I do not think we need to hold the minister to the fact we have had a motion passed in this committee that we have all of them.

I am content to have a look at these and then decide what I would want to do from there on.

Mr. Sweeney: May I clarify a point the minister made earlier? Do I understand correctly the only reason given to you for those three

societies not giving you the full report was the inclusion of personnel material?

Hon. Mr. Norton: I think that applies only in the case of two of them. Prince Edward children's aid society, for example, has expressed a reluctance to release its full final report. I do not know why because, of all the reports that have been completed to this point, it is by far the most positive. The Prince Edward society came out looking very good in its report. I have no idea why it does not wish to have its final report released.

Sorry, I was confused. There are three which are reluctant to release the report as it is because of personnel matters. The fourth is Prince Edward and I do not know the reason.

Mr. Sweeney: I would go along with the decision that appears to have been made, that the minister now will go back to those three—obviously, we are going to have to deal with the one some other way altogether—and indicate we would accept their reports with the deletion of all the personnel references.

That is why I asked my first question. If that is the only reason they have given you, and you are prepared to go back and say this committee will accept it with deletions, it seems reasonable you would get an affirmative answer. Of course, we will not know until you try.

Hon. Mr. Norton: It is my understanding in at least one of those there is a thread throughout relating to personnel matters. How that might be expurgated and still have a report that makes sense, I do not know. I am certainly willing to try to do that and also to see if there is any way of further encouraging Prince Edward to release a report I should have thought it would have been proud of.

I might add that the executive director of the Ontario Association of Children's Aid Societies has assisted in attempting to persuade it. For some reason it is still not willing.

Mr. Sweeney: One last question: Is there any indication in the reports you have read thus far that the series of recommendations, which I understand everyone is prepared to let us have, plus the implementation program, but particularly the series of recommendations, neglects to relate to any significant point in the reports themselves?

Mr. Ozerkevich: The summary reports of those societies not prepared to make a full final report public, as well as the recommendations, covered a full content of the review, in my estimation. There is nothing really left unsaid, other than the specifics of individuals.

In each report, there are at least 100

recommendations speaking to the full findings of the review.

Mr. McClellan: While we try again, why do we not get what they have and then we will have a chance to go over the material?

Hon. Mr. Norton: We can distribute to you now what we have to date. Initially, we have one copy for each caucus. If individuals want additional copies, we have them and will gladly provide them. It is just we did not know whether to bring a wheelbarrow or a truck.

4:50 p.m.

Mr. McClellan: One copy is what we had asked for.

Hon. Mr. Norton: Okay. Can those be distributed to the members now?

Mr. Chairman: Perhaps we can get on with the vote.

Hon. Mr. Norton: I had some other things.

Mr. Chairman: Oh, I am sorry. Okay.

Hon. Mr. Norton: Mr. McClellan raised some questions originally raised in the 1979-80 estimates and either not responded to or not adequately responded to. We have written responses to those which might now be distributed, as well, to add to your collection.

The next handout is in response to a question from, I believe, Mr. Blundy. He had requested a copy of how the estimates were arrived at, the costs for eliminating those areas of sex discrimination in the Family Benefits Act. If these are not sufficiently comprehensive, we would be glad to give you further follow-up information on them.

The Acting Chairman (Mr. Rowe): Are we ready to go now?

Hon. Mr. Norton: There is one further thing actually.

The Acting Chairman: I thought there was a pause there and I could take advantage of it.

Hon. Mr. Norton: Mr. McClellan had also asked, I believe it was last Tuesday, that during the estimates I bring the committee up to date on the matter of the case related to the Essex children's aid society, the alleged case of sexual abuse of a child in a foster home. Subsequent to that date—in fact, the following morning—I reviewed it extensively with staff, both central office staff and some of the field staff of the ministry who came in for the purpose of that meeting.

With regard to the particulars of the case, I trust that members of the committee would understand my reluctance to discuss any specific

details that might in any way identify the individuals involved.

I ask that particularly because of the child involved who is 11 years of age and, to the best of my knowledge on the best information that I have available to me, is not aware, by the nature of the incidents that occurred, of the fact that anything happened that might be described by adults as sexual abuse. Neither, I trust, is she aware that any of the discussions that are taking place in the media might relate to her. I think the members of the committee would agree with me it is desirable that this continue to be the case.

I am satisfied, as I indicated subsequently last week, that the society has acted responsibly in this case, and is acting in the best interests of the child. The thing that is difficult to explain to the public, when one feels not free to discuss the specific details of the case, is that when something has been labelled "sexual abuse" it may give rise to images that create a very strong emotional reaction.

In this particular case, I am satisfied that the society has acted so that the child is not at risk at the present time. It is their intention to move the child from the present foster home into another setting.

The reason they have decided it is in the best interests of the child that for the time being she remain in that foster home is that, given the child's background of her own early childhood experience with her own family and that she has been in some previous foster-care settings—also the fact that this was a family in which she was very happy and where there was a very warm and loving relationship between her and the foster parents—they did not wish to suddenly uproot her in a way which would perhaps create a very traumatic experience for her and possibly create a sense that somehow she was guilty of having destroyed the relationship. That kind of concern is also underlying this.

They are now in the process of preparing the child for the move and, in the meantime, the case is being very carefully monitored and is under the supervision of a group of six people in that society, chaired by a woman who, although I don't know her personally, I am assured by others in the field is probably one of the most experienced people in the province in the handling of these kinds of cases. I think I can assure the committee that the child's best interests are being well cared for.

There are two additional questions that have been raised, one relating to the question of whether there had been any violation of the reporting requirements by the society. After

reviewing both the society's position and the legislation, I think at this point, there has not been a violation of the act.

The society maintains that it views the case as one which is still under investigation and they simply have not or had not made the final decision as to whether it is a case that ought to be reported.

I have expressed this before and I must say, on the basis of the information, I am quite confident that the name will be reported to the register. Subsequently, in interviews with people in the media, I think the director of the society indicated the same expectation. Although the name, at the moment, is not on the register, I expect it will be before long. But I do not believe there has been any violation of the act at this point.

With regard to the question of whether there has been any violation of any legislation as a result of the information that was provided to the media, on that I do not know the answer.

I believe, on the basis of the legal advice I have received, there has not been a breach of any provision of the Child Welfare Act. Depending upon who provided that information to the media, there might well have been a breach of the oath of secrecy, if it were a member of the civil service who did it. That is something which I do not know at this point, although, on the basis of, one might say, further information gleaned, I do not believe it was a civil servant who provided the information. But I cannot say that with absolute certainty.

My concern with regard to the release of the information is not because of any embarrassment or otherwise of the ministry, but I am concerned that anyone providing such information to the media respects the confidentiality of people who may be clients of the ministry, especially where it may involve the child in a situation like this.

But I cannot answer the last question with any degree of finality at this point, simply because I cannot with absolute certainty know the origin of that information.

Mr. McClellan: If I may, just to clarify, what you are saying is that there was no violation of the Child Welfare Act.

Hon. Mr. Norton: That is the legal advice I have received, yes.

Mr. McClellan: That is the only matter I was concerned about, because as far as I am concerned the oath of secrecy exists to be broken.

Hon. Mr. Norton: Are you suggesting that in the past you might have done so yourself?

Mr. McClellan: Absolutely.

Hon. Mr. Norton: Well, that may say something about your own view of your—

Mr. McClellan: And until such time as we have freedom of information legislation I regard the oath of secrecy as an odious imposition.

Hon. Mr. Norton: What you say before God is meaningless? Is that what you mean?

The Acting Chairman: Are we now ready for vote 2903?

Mr. Sweeney: Before you leave this topic I have a question.

Mr. Minister, I understand from at least one news report there was a concern expressed that the child herself had a, I don't know whether to use the word "problem" or "difficulty," that could be partially responsible for what is happening.

First, is that correct and, second, does that mean somebody is going to provide some counselling for this child to help her with that particular difficulty?

Hon. Mr. Norton: It is my understanding there has been a manifestation of a behaviour problem by this child and she is being counselled and receiving some treatment at the present time in that area. But there is one thing I reject in any kind of case like this. I must say, as a matter of personal conviction, whatever the conduct of a 10- or 11-year old child might be, I do not think that in any way excuses the conduct of an adult.

Mr. Sweeney: I was not putting it in that context.

Hon. Mr. Norton: No, I was not suggesting that. But there were certain implications in some of the media reports, I thought. They were saying, "Well, it was the child's fault, at least in part." I personally do not accept that.

5 p.m.

Mr. Sweeney: But it seemed to suggest the society was reluctant to move the child into another setting because she herself might create another problem. Therefore, I just want to be assured that if there is any possibility of it, the child is receiving counselling which would enable her to deal with her own behaviour in another way.

Hon. Mr. Norton: She is receiving assistance and precautions are being taken, as I understand it, so subsequent placement will be well aware of that and will also be assisted in coping with that type of behaviour.

Mr. McClellan: Mr. Chairman, with respect, this is a matter of considerable urgency. I had asked for the report in the first place and I would like to spend a few minutes discussing the

matter with the minister. We are not under any time pressure here.

One of the things I do not understand is the minister's reaction to the incident. When it appeared in the press, the minister said that he was, I think, "bloody disturbed." But it was my understanding prior to the subsequent article in the *Globe and Mail* that the society had notified the regional office of the ministry and had also notified the head office here at Queen's Park with respect to this particular case. There had been a full and complete flow of information, at least as far as the society was concerned, from the society to the ministry, first at the regional level and then at Queen's Park.

I want to know where the breakdown in communication within the ministry was. Obviously it was a matter that probably should have been brought to senior attention here; I do not think it was and I want to know where the breakdown was, why that happened and what has been done to make sure that red-flagging takes place in these kinds of cases.

Hon. Mr. Norton: Yes, I would be glad to explain to you the sequence of events leading up to that.

It is true that the society, I believe, promptly reported the matter to the field staff of the ministry who, in turn, forwarded the information through to the head office of the ministry and staff within the ministry forwarded the information, or an abbreviated report, through to my office.

There was no breakdown up to that point and I assume full responsibility for the fact that within my office, somehow or other—largely because the matter was perceived, I think by everyone, as one that was being handled well—the report which arrived in my office was not brought directly to my attention.

As I am sure you can imagine, many reports arrive daily. There were certain others that were perceived as being more urgent and were brought to my attention, but this particular one was not. As a result, although I believe the report had been in my office for a few weeks, I had no knowledge of the matter personally until the newspaper reported the matter. Of course, as soon as that happened the report was brought to my attention.

At that point, the problem was I required further detail and I did not wish to comment to the press until I had that detail, although, on the basis of the information I did have, there were some disturbing features, as there were in the newspaper report on a superficial basis.

I simply indicated to the press that, yes, I was bloody disturbed and that I was awaiting further

information. The next day when I had that information I advised the press that I felt the matter was being well handled, and assured them, and tried to assure the public, that the child was not at risk.

I have discussed the handling of it with the responsible members of my staff. I don't think it will happen again. I think there will be a very careful review of all reports that come in. We will not assume, because it is not specifically apparent, that there is not a crisis situation. These reports will be brought to my attention promptly.

Mr. McClellan: If I may be so bold as to say it, perhaps there is a lesson there for you as well. That is, not to point the finger of blame until—

Hon. Mr. Norton: I did not point a finger of blame at all at that point. I refused to comment at that point, except to to say, yes, I was disturbed by the case. I did not either state or intend to imply that I was assuming the society was at fault. It was a disturbing case on the basis of the information I had at that point—as are all such cases.

The Acting Chairman: Is there anything more? Shall we call vote 2903, item 1?

Mr. Blundy: Mr. Chairman, I understood that in the same way that we did with adult services, we were going to handle all issues and comments under this vote at the same time.

The Acting Chairman: That is agreeable then.

On vote 2903, children's services program:

Mr. Blundy: I want to introduce for discussion the matter of the ministry having reduced its support of children with learning disabilities by \$90 a month. This problem first came to my attention from newspaper reports. I would like to ask the minister a few questions about this issue.

First of all, why has the government cut its support of children with learning disabilities? I would like to know the reasons for this shift in policy and why it should be announced at this time of year, rather than when the children were placed in such a school. Why would it not have been made known at that time?

What about the parents of these children? Has this been discussed with them in any way beyond their being given, as we have heard, notice of it? If the parents of a child in one of these institutions are unable to pay more, what is your policy going to be towards those people? What are you going to do about that?

I have some other comments to make as well, but I would like the minister to answer those questions.

Hon. Mr. Norton: I would like to put this in context. The change was designed to try to reflect something approximating the normal costs of maintaining a child in the home, and to ask those parents, whose children were in a boarding school full time for purposes of receiving a special education program, to make that contribution to the cost of the normal board and lodging charges of the child.

The \$90 a month is a maximum, not an absolute figure. For those persons who have difficulty meeting that cost, we have established, as well, a minimum of \$40. The \$40 figure is arrived at by taking the family allowance plus the child tax credit and amortizing that on a monthly basis over the year.

5:10 p.m.

It was believed this would not create hardship for most families because of the flexibility implied in that and it would be more accurately reflective of the situation faced by other parents whose children may be attending schools and living at home. I don't think it should create a hardship.

I think there have been some misunderstandings. In some cases, parents have already been paying over and above the statutory level we can at present support at \$315 a month. In those cases, what they are already paying over the \$315 will be taken into consideration.

In other words, if they happen to be paying \$350 as the board and lodging charge at the school, the \$35 they are already paying over the \$315 will be taken into consideration as part of their contribution. It will not be an additional \$90 or an additional \$40 or whatever. The \$35 or whatever they are paying over the \$315 will be taken into consideration.

There was concern expressed by some parents who said: "We are already paying something over the \$315. We cannot afford to pay another \$90." They will not be expected to. But I think it is a reasonable expectation that families, even though their children may be in a residential school setting, continue to make some contribution to the cost of the board and lodging of that child.

Mr. Blundy: I would say they are making some contribution. I cannot understand why this matter came to a head now and why the reduction was suggested now, and so forth. It just looks like another way of cutting back on costs as far as you are concerned.

Hon. Mr. Norton: It is consistent with, for example, the special needs agreements that have been agreed through the Ontario Association for the Mentally Retarded to apply to children

who are in other kinds of residential care. Those agreements now are being entered into with the parents.

I am not speaking now of children with learning disabilities but rather, for example, mentally retarded children whose parents will participate in those cases in the development of a program plan for the child. The parents will make payment, on precisely the same basis as this maximum of \$90 or down to a minimum of \$40 a month, towards the cost of the maintenance of the child.

That has generally, I think, been well received because there are certain assurances in the agreements that parents will maintain involvement with the child and will participate in planning for the needs of the child. It is desirable that people be treated equitably. Yet, where possible, where families can do it without having to pay more because they have a child with a particular handicap, it is desirable they continue to maintain the kind of commitment they would if their child were living in their home without special needs. That is really all this is trying to reflect.

Mr. Carman: I might just clarify the minister's response, Mr. Blundy. The area that is ongoing already in terms of charging is in the community group homes where the charging policy is now in place. The OAMR has agreed with the ministry to extend the charging to the area of special needs agreements. There are no special needs agreements signed as of today's date, but the agreement is there that we will go ahead as quickly as feasible in the near future. I thought I should clarify that for the record.

Mr. Blundy: What about parents on limited incomes? Are they going to have to submit to a means test to determine what they will be paying?

Hon. Mr. Norton: At this point we have no information on the incomes of the families whose children are receiving assistance under the vocational rehabilitation services program. What we have asked those parents to do is immediately to contact the field worker of the ministry if they experience difficulties with, for example, the \$90 charge.

As a result of a simplified income test, if it appears they would have some difficulty, we will make the necessary adjustment. The minimum amount, as I explained earlier, would be a combination of the family allowance they receive for that child and the child tax credit, on an amortized basis, so it ought not to cut into the needs of the other children in the family if it is a family with very limited income.

Mr. Blundy: I cannot understand why, over the past years, the ministry has been paying more than what is considered room and board for a child. If we now say you are trying to bring it back down to what it is in a home, why did this go on before?

Hon. Mr. Norton: One has to understand something of the history of the legislation to understand what happened. The Vocational Rehabilitation Services Act was never designed with the intention of being an act under which special education would be provided for children with learning disabilities.

As a result of a decision of the courts back in 1974 or 1975, approximately then, which turned on the question of whether there was any provision in the act that cut off eligibility at a particular age, the decision of the court was, no, there was not, and therefore people under the age of 16 could be provided service. We were directed to provide this service under that act.

By virtue of the fact the act was originally designed to assist adults in need of rehabilitation services, the practice had been there would be provision of whatever training was required, plus a set maintenance allowance to the individual which varied if he had dependants and so on. It did not, for example, reflect the fact a child who might be in need of special services could be provided those special services.

When we began to get into that, precisely the same thing was continued for a child as for an adult. As a result, I think it was even true that a child living in his own home would receive a maintenance allowance, the same as an adult would if he were independent and had to support himself.

That, I think, was not a wise application of resources. I would rather not get into specifics but, in the case of one school—not, I believe, in this country—there was even an indication there was some jockeying by the school with figures, adding additional costs to the tuition and training costs, of which we would pay the full amount, and reducing costs at the other end. People were actually ending up in positions where they could pocket money from the allowances.

Anyway, it was not for that reason alone we made this change. This more realistically reflects the fact we are dealing with children who are still members of their families, are in the care of their parents and whose parents, if the children are living at home, would normally carry on those responsibilities of providing food, care, lodging and so on for the children.

If the children are in boarding schools, they continue to make some modest contribution—by

modest I mean in relative terms. If they happen to be low income, we will make the appropriate adjustment.

5:20 p.m.

The timing is something about which people might have a legitimate complaint. Initially, the parents of the children affected were notified, as I understand it, in September. There are still some families who are not affected because it was decided it would be implemented at the beginning of the school term. It is only those whose school term commences in September who were notified.

Mr. Blundy: Like new people coming in September, I suppose.

Hon. Mr. Norton: Or people whose term, for example, might have ended in the late spring and who began a new term in September. They are the ones who were to be notified in September and, I believe, were. There are others who probably received no notification of that and that would be dependent upon what the school term for their children was. If their school term begins in January, or whatever, they would be notified in advance that it would come into effect in their cases at that point.

Mr. Sweeney: As a supplementary, I have had the opportunity to contact a couple of schools and a few parents who have been affected by this. In each case I am talking of a school where the new term was begun in September. I am not referring to the other situation the minister just spoke about. In each of these cases the parents were not notified until October and, in a few cases, the parents had actually received the \$315 and are now being asked to return that amount of money.

The major objection I am getting from parents is not the overall philosophy behind the move but, rather, the timing that has taken place. The kinds of financial planning they did for their families, like anyone else, now is being put in this very disruptive situation. As a matter of fact, in one school I was told half of the parents had not yet been notified. That was as of yesterday.

Hon. Mr. Norton: These children would have started their school term in September?

Mr. Sweeney: In each case, I am referring to those families and schools where the new term started in September. In some cases, it is children who are returning to the same school for a second or third year and, in some cases, it is parents who have their children in those schools for the first time this year.

They either have not been notified at all or, in some cases, were notified in October. In some

cases they got the \$315 and now are being told to return it. I did not specifically ask the question but it certainly was not brought to my attention—in no case were they advised it is anything other than the complete \$90.

Hon. Mr. Norton: I apologize if there have been those administrative problems. I cannot say whether there have or not. By virtue of the fact the vocational rehabilitation services program is in the adult part of the ministry and is in the adult vote, the people who were here yesterday are the ones who administer it.

I will undertake to go back to them and try to see what we can do to rectify that. If there have been administrative errors, we have to assume that responsibility and not create an unnecessarily complicated situation for those families. I will see as soon as possible what we can do to rectify that.

It was my understanding the notices were to go out to those families in September. If that has not occurred, I can understand people are upset.

Mr. Sweeney: I remember when we talked about the arrangements you were going to make—this goes back to last spring, I believe—for those parents who had mentally retarded children in a residential setting, and I think there was some concurrence anyway, not unanimity by any means, that at least this was a reasonable approach to begin to implement.

Given the fact that through no fault of their own a number of families now find themselves in this unusual financial situation, is there some way you can take into consideration that, for whatever reasons, there has been some kind of a mixup within your administration system and that this would not take effect, let's say, until January 1? At least it would give these parents some opportunity to readjust their internal financing to accommodate this. I got the impression from a number of parents they felt that would at least be fair and reasonable.

Hon. Mr. Norton: I am prepared to take a look and consider that as a possibility. First of all, I would like to get the staff together and find out about the timing of the notices and the problems that have resulted from that. I will try to remedy the situation. Whether it will be specifically what you recommend or not, I do not know. But I will certainly consider what you have suggested.

Mr. Sweeney: Can I just clarify one more point? I heard what you said; I just want to be sure I understand it. That is, for those parents who are already paying in excess of the \$315, that particular amount, whatever it would be,

would be taken into consideration when we talk about the \$90 differential.

Hon. Mr. Norton: That's right.

Under the legislation we cannot pay more than \$315. So if they happen to be paying \$415, they might already be paying \$100, and we would still continue with the \$315. But if they were paying, say, \$50 over and above the \$315 at the present time, assuming they had the family income to pay the full \$90, the most we would expect of them, in addition to the \$50 they were already paying, is another \$40.

Mr. Sweeney: I understand that. I just wanted to be sure.

Mr. Blundy: The next question I would like to pursue with the minister is a matter I mentioned in my opening statement but I do not believe I got a satisfactory response. I am speaking about the child whose name I did mention at the time. She was refused admission to the Villa Private Hospital, so you will remember the situation we were talking about.

She is 13 years old, as I understand it, and she has been diagnosed as having cerebral palsy, epilepsy, spinal scoliosis and mental retardation among her afflictions. Doctors have said that she is a great nursing problem. This is in a letter from Dr. John Prichard of the Hospital for Sick Children; those are his comments. She has been bedridden since birth and also requires intensive medical and nursing management.

From her birth until now, this girl has been cared for by her parents, but they are now getting to the position where they are hardly able to cope any more. So they have been trying to find a nursing home or some such place, because of the amount of nursing care that she needs.

They inspected this Villa Private Hospital and it seemed to match the girl's needs. However, the hospital informed her parents that the girl does not match the home's clientele "in that she does not require the same level of medical care." That is refuted by doctors who have written letters, and so forth, on this young girl.

5:30 p.m.

It seems to me that this is a typical example of a nursing home being able to pick and choose its admissions, the ones that will be most favourable. We see private nursing homes doing this in many areas of the province.

The question is, in the light of all these things, what is going to be done? I understand that more than a month ago they wrote a personal letter about this to you, the minister, and they wonder how long it is going to take to get a reply from you.

There are many children who are severely disabled and who can get into various places where they would be cared for. But as I understand it, this girl needs a great deal more. The family is very upset about it.

I would like you to address the fact that this is an example of nursing homes arbitrarily choosing the patients who suit them best. That is one thing.

I would also like to find out what your ministry plans to assist these people and ensure there is decent and proper care for this child, who has been a very seriously ill person virtually all her life. Now it is a problem to the family.

I did mention this in my opening statement, but I do not believe I got a satisfactory response.

Hon. Mr. Norton: Mr. Chairman, I thought I had responded to this earlier. I mentioned that the Villa is, in fact, a health care facility. It is not operated by the ministry.

We did receive the letter, and I believe the response has gone out. I will check to make sure, but I think it went out two weeks ago, or more.

Mr. Blundy: But in view of the fact that this girl needs so much nursing care, as suggested by doctors—

Hon. Mr. Norton: I am not personally familiar with the Villa but it is a health care facility. Perhaps if that is the kind of care she requires, it is an appropriate setting. I do not know. But as an interim response to the family, we had attempted to establish a relationship between them and Surrey Place Centre, to provide them with interim support pending the resolution of her admission to the health care facility.

I do not know whether they have received that letter or not. If not, perhaps we can follow up with a personal telephone call just to make sure they have that information. But we believe we have responded. I will check to make sure the letter has been logged out, or was logged out at the time we think it was.

Mr. Blundy: I have a copy of a letter that was sent by Dr. Prichard. He said, "This youngster has been seen on many occasions since birth at this hospital." He is at the Hospital for Sick Children.

He goes on and tells what are her illnesses and so forth. He says: "She has a great nursing problem. Her parents have looked after her until this time and have done an extraordinarily fine job. However, they cannot continue to do so because she is becoming too heavy to manage, and are searching for alternatives. Her disabilities are so severe that I doubt if she could be handled in one of the institutions for the

retarded. I believe that she needs much greater nursing care." That is from Dr. John S. Prichard.

I believe the severity of this girl's problem makes it one that does have to be looked at, and looked at very quickly. I do hope that you will look after it, on behalf of the family.

Hon. Mr. Norton: As I say, I believe we have already responded to them. In fact, I think it was as long ago as perhaps two weeks. But let us check, and if they have not received that letter, perhaps we can communicate with them by telephone to speed up that process.

Mr. Blundy: Okay.

We started out today talking about the reports of studies that have been done in children's aid societies. The Lambton children's aid society is not one that has been reviewed. However, the director of the Children's Aid Society of Sarnia-Lambton was interviewed and this rather extensive article appeared in the Sarnia paper last Saturday. I was very interested in some of the things that were said by the director of the children's aid society, Mr. Vrooman; among them, that "because of government red tape and inadequate funding by the ministry, people with needs and problems do not get the services they need. We skim the surface only."

I want to also quote some figures here and I will ask you some questions about this. In another paragraph the article says: "In terms of gross figures, the CAS of Sarnia-Lambton approved a 1980 budget of \$1.6 million in February.

"The ministry has only approved a 1980 budget of \$1.4 million, leaving a substantial funding shortfall.

"The local CAS's current operating deficit at the end of September is \$160,000. And even if the ministry approves and helps fund the \$1.6 million budget, the local CAS will still end up with a 1980 deficit of between \$250,000 and \$300,000."

Those are some of the comments. I would be glad to provide a copy of this article if you wish.

He points out in the article the two problems that I believe run through all the children's aid societies of Ontario: increasing work load and lack of funds to meet that case load. He also points out that the number of juveniles now being handled by the CAS in Lambton are increasing every year and that this fact is not being recognized by the funding plans of the ministry.

I think there are very many other comments in this article that are worthy of explanation as far as the minister is concerned, but I would like him to comment particularly on the continuing deficit operation of the CAS in Sarnia-Lambton

and the increasing work load, particularly the increasing amount of juvenile cases being handled over and above what has been the case in the past. I am sure many of the things he speaks about in this article will probably be seen in the material that was handed out today on the other reviews that have been done.

In regard to the Lambton CAS, the other question I have to ask of the minister is when will the Popen inquiry be published or be available? It is now so long ago that many people have forgotten what that Popen case was. With those few questions I will ask the minister to reply.

Mr. McClellan: Start with the last first.

Hon. Mr. Norton: I suppose that is the easiest to answer because I simply do not know when Judge Allen is going to complete—

Mr. Blundy: Has he gone on an extended holiday?

Hon. Mr. Norton: I do not think so; I think he has been working at it throughout.

Mr. McClellan: That is simply inconceivable. When did he conclude hearings, two years ago?

Mr. Blundy: At least two years ago.

Judge Thomson: Mr. Chairman, I think that the formal hearings were completed about two years ago. There were then some legal issues around some further evidence that might be received and he indicated some findings he might make in advance and gave people a chance to come and respond to those. That ended, I think, about a year ago and a bit.

I guess the time since then has been spent writing the report. From what we hear, it is a lengthy report.

5:40 p.m.

Mr. Blundy: I guess it must be.

Judge Thomson: That is about the extent of what we know in terms of where he is and when the report will be released. There were various dates being suggested over the past year, but each one of those has proved not to be true.

Mr. Blundy: I mentioned the Popen report to some of the media people on the weekend when I was there, and two among them had never heard of the Popen case.

Mr. McClellan: I will ask George because he is a judge: Surely there are ways that the Solicitor General—or yourself—can say, "Look, enough is enough." This transcends farce at this point—I am sure the minister would agree with that, even though he can't. It is absolutely stupid for a judicial inquiry into such a serious matter to drag on for years, with no end in sight. Surely

somebody somewhere can say to this learned judge, "Your time is up."

Judge Thomson: I am probably the last one who should comment on at what point one interferes with what is commonly called the independence of the judiciary. All I can say at this point is that I agree it is taking a long time to write the report and I share your concerns—I know the minister does—about its relevance to present circumstances, given the fact that it relates to an agency which has had two directors since the incident. The agency is now about 60 or 70 per cent larger, in terms of financial resources, than it was at that time.

Mr. Blundy: That's it exactly. It is an altogether different thing since the Popen case. They have improved tremendously, so it is going to be interesting to see what the judge says.

Mr. McClellan: It will go directly into the archives.

Hon. Mr. Norton: I don't mean to be critical of Judge Allen, but this case has raised some concerns in my mind about whether we should embark upon judicial inquiries or try to find some alternative way of approaching these things.

If I might just respond to the earlier questions that you raised, the Lambton children's aid society, like all the other societies—I am assuming that you are familiar with the changes that we have made this year with respect to the funding of children's aid societies and the greater flexibility they have in their budget to move money from one program into another. For some societies—I don't know offhand whether that applies at this point to the Lambton society or not—it has made a very significant difference in terms of the available resources they have to do some of the things they had been wanting to do for a long time but about which they felt limited by the kind of budget approvals we had been giving them.

I don't know what the Lambton director was referring to by "government red tape" that would be depriving their society of the opportunity to serve people it perceived were in need of their services. The figure we approved this year was a 31.4 per cent increase over last year's estimates for that agency, which is a pretty significant increase—although they still maintain that is not adequate, and that they are incurring a deficit.

We will not have supplementary budgets this year except in very extraordinary circumstances. Therefore we had encouraged the societies, as soon as they saw themselves in a spending

pattern they felt was going to lead to a deficit by year end, to notify us immediately so we could work with them in what has been referred to as a special circumstances review.

That society has had a special circumstances review. I understand we are now awaiting from them a plan which they are working out to try to manage within their allocation. If it does turn out that it is an impossible situation for them, it may be one of those extraordinary situations.

I am not at this point prepared to accept that, since I think they have had a reasonably generous increase. Before making any final judgement, I am waiting until we have seen what they come up with in their plan.

Judge Thomson would like to add something to that.

Judge Thomson: It is true that the agency is receiving more placements under the Juvenile Delinquents Act than they did before. That may very well put them in a situation where, after they have developed their plan, they will need some cash adjustment above what has already been given to them in order to deal with that. However, we wanted to tie that to a plan that would enable them to provide services in the Sarnia area itself. Under the present arrangement, children placed in their care are being placed in outside group homes, often some distance from the Sarnia area.

While we have indicated that the exceptional circumstances review may reveal the need for more funds for them, we wanted to tie it to things they would do to provide service in the community, so that these children would not need to be placed far away. A number of the agencies which in the past got involved in placing children away from the home community are trying to bring them back. We did not want to encourage them to be moving children out of the community.

Mr. Blundy: Of course, the per diem costs are very high for those.

Judge Thomson: That's right.

Mr. Blundy: Perhaps I did not read this one paragraph, in which he says, "Most of the society's deficit this year will be caused by the increase in the number of juveniles being cared for." You probably have the answer to their problem right there.

Hon. Mr. Norton: That's good. We hope they will address that problem in the plan we are waiting for at the present time.

Judge Thomson: We also sent someone from another agency who has been working with them over the past two or three weeks to develop a plan to deal with that. In addition, we

have been providing them with some cash adjustments to deal with their cash deficit situation in the meantime.

Mr. Blundy: I question in my own mind the need for sending juveniles away to these various homes. I sometimes wonder if that is necessary. Apparently it is a matter for the family court. Is that correct?

Judge Thomson: I might say, in direct communication with the judge who has raised that issue with me, I have expressed the same concern. I suggested if added resources are to be provided, they would be best provided in terms of family support and resources there in the community.

We are waiting for the plan to enable them to do exactly that, rather than take added resources to fund more children who are removed from their community and placed some distance away. We have been expressing that very point to the agency and to the judge himself.

Mr. Blundy: I think that is a very important point.

Mr. McClellan: I wonder what I can do in the 10 remaining minutes.

Mr. Sweeney: Raise a little hell.

Mr. McClellan: Most of the things I want to deal with will take more than 10 minutes. But let me get started on some follow-up from last year.

We had a lot of discussion in the estimates last year about the implications of the five-agency report. One of the things that happened in the interval has been that the four-phase system was abolished and replaced with a centralized intake, assessment and case planning body—at least here in Metropolitan Toronto.

I would like to have some discussion with the minister and his staff about the operation of the new centralized intake, assessment and case planning body. I want to do it in the light of the document that made the recommendation that the four-phase system be abolished and that a new system be set up in its place.

5:50 p.m.

The minister is aware of my concerns about the four-phase system from the time that I became critic. In fact, when it was established by the Ministry of Health in 1972 or 1973 it was greeted with a fairly jaundiced eye by Jan Dukušta when he was Health critic. His assumption was that it would not work and it has taken seven years for government to recognize the obvious and to replace it.

The ministry made the recommendation to replace it in the document that the division produced in March 1980—I think I have made

reference to the document before. This is a document entitled, *The Proposed Service Delivery Approach for Hard-to-Serve Children* within the Central Region, prepared by the central region working group and published in March 1980.

First they identify about 300 children in the hard-to-serve category. They say, on page six of the report, bluntly: "There do not now exist sufficient resources to meet the current needs of the hard to serve. The lack is of number, of quality, of distribution, with long-term and secure residential beds the most pressing need."

They go on to say on page eight of the document: "We can't go back to the fragmented approaches of the past. We can't cling to the status quo, either." And this is what I wanted to quote directly: "The austerity now gripping the system suggests there is no other way to go than to increase co-operation at the local level. The situation is of loaves-and-fishes dimension and with the probability of miracles remote, ingenuity and co-operation will have to substitute."

On page 22 of the report they go on to identify a number of anticipated drawbacks, one of which they identify as "sabotage by the participants." I assume they are referring to the agencies seconded into the centralized intake, assessment and case planning body. They also talk about the possibility of a "growth to monstrous proportions," and say, "If the demand outstrips the available resources, government and agency planners will need to struggle with the implications." And finally, there is the very pithy remark, "You cannot contract for services which do not exist."

In the context of the assumptions of the document, which comes from your own division, it suggests in refreshingly candid and blunt language that the problem is not simply a problem of co-ordination, co-operation and sharing, but one of resources which simply do not exist.

I would like to have a progress report on the initial operation of the new service system for hard-to-place youth—some understanding of the number of children who have been served, the number who are on waiting lists—and some information about the length of waiting lists as a so-called hard-to-serve child goes into the new system and eventually gets placed.

Hon. Mr. Norton: Perhaps we could ask Judge Thomson if he would respond to that.

Judge Thomson: I should point out that the proposal that was made in March about bringing all of the services for hard-to-serve children into that one unit has been altered somewhat since then. We had some additional discussions

with the providers, and set up the special services unit.

Perhaps tomorrow I could specifically report on the exact number of dollars spent and the number of children served by that unit so far this year.

Mr. McClellan: This is Les Horne's unit?

Judge Thomson: No, it is within the region itself. It is the special services unit to deal with the hard-to-serve children in the central region.

Part of that original proposal was that what was called phase one of the four phases should be taken over by that unit. Since then there have been further discussions and it would appear we are about to introduce a model which would not necessarily have us take over phase one but would establish an operation which would have all of the user agencies—children's aid societies, corrections and so forth—sitting on the board of that agency and actually assuming that role.

Perhaps I could get for you an overview of the model that is now being introduced. It is somewhat different from what was proposed in March.

Also, in order to respond to some of the points raised in the report and identified by central region relating to shortage of services, we have announced we are in the midst of setting up the secure treatment program. That was the service need that was most strongly identified in the report.

Mr. McClellan: That was identified in 1976 when section 8 of the Training Schools Act was repealed.

Judge Thomson: And, as well, in the report itself. That is now being established.

Mr. McClellan: Can I stop you there? How many beds will there be and when will they all be in place? This is the contract that Youthdale Treatment Centres Limited has, I see.

Judge Thomson: There are actually three parts to it. There is what I guess is called the stabilization unit, which is the unit for training school wards, those who were committed to training school and are back in the community, as a sort of backup security when those children get into difficulty.

That is being run by us, at present, on a separate floor at 311 Jarvis. That will ultimately be taken over either by Youthdale or someone else in the next short while. But that service is already operating.

Mr. McClellan: It has 10 beds?

Judge Thomson: Yes. Then there is the crisis unit, the secure unit. That is the one we have been discussing with Youthdale. It is not yet

open, but we hope to have that program running by the end of this calendar year or, if that is not possible, by the end of the fiscal year.

Mr. McClellan: How many beds does that have?

Judge Thomson: That has eight to 10 beds.

Thirdly, there is the secure treatment program which is being established at Thistletown. They have already taken a couple of children through staff security, but the actual operation itself will not be running, probably, for another four or five, or at the most, six months. That is because there are some capital expense alterations that need to be made in the unit where the children are going to be kept. That is another 10 beds.

Mr. Barnes: Can I interrupt a second, just to get the figures right? The stabilization unit is six to eight beds; the crisis unit is 10 beds and the long-term treatment unit is 10 beds.

Judge Thomson: In addition, we are establishing some of what I guess are called "semi-secure" group homes to deal with children who previously were sent to training school. These were established as part of our community alternatives program through dollars taken from the training schools which were closed.

Mr. McClellan: How many beds is that?

Judge Thomson: That is 18 to 20 beds. The people who are going to provide the service have been approved. Exactly when it is going to open, I am not sure. The goal is to have it opened at the end of this calendar year, but I will have to get back to you on exactly when it is opening.

6 p.m.

There are also going to be some intensive-care foster homes opened as well for children who were previously in training schools. I don't know the exact number of those beds. I will have to get back to you on that as well.

A case-planning unit, with 24 beds, has been opened to deal with children who the judge has said need to go to training school. Its purpose is to develop an appropriate plan for these chil-

dren, using the people who have been working with the child in the community. That is at what was previously the Warrendale site.

Mr. McClellan: Those are not new beds obviously.

Judge Thomson: They are new beds that—

Mr. McClellan: They are beds with a new function.

Mr. Barnes: They are new beds in the sense that they had been extended previously to those assessed in the training schools.

Mr. McClellan: All right.

Judge Thomson: These beds come out of the money that resulted from the training school closures.

Lastly, the TYRO people—that stands for Toronto Youth Rehabilitation Organization—are developing a 14-bed residential program for disturbed retarded children between 13 and 19. That is another program that is going to open in the next two months. TYRO has been offering a nonresidential program, and we are giving them resources for residential.

Mr. McClellan: Maybe we should stop at this point and continue this discussion tomorrow.

Before we do, the ministry staff wanted to know if I would want to go back to developmental services. In the light of the answer to my question on discharges into homes for special care, I am going to have to go back to it.

It turns out that over the past six years there have been 530 discharges from schedule I or schedule II facilities into homes for special care. I was told in this committee, and I think in the Legislature as well, that there were no discharges from schedule I or schedule II facilities into homes for special care.

I will go over Hansard tonight and we will pursue this tomorrow.

Mr. Chairman: Thank you, Mr. McClellan.

It being six of the clock or thereabouts, the committee will adjourn and reconvene tomorrow at one o'clock.

The committee adjourned at 6:03 p.m.

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No. S-35

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Community and Social Services

Fourth Session, 31st Parliament

Wednesday, October 29, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

WEDNESDAY, OCTOBER 29, 1980

The committee met at 1:04 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES

(continued)

Mr. Chairman: I will call the committee to order. Mr. McClellan, you were addressing the committee when we last adjourned.

On vote 2903, children's services program:

Mr. McClellan: I am at your disposal, Mr. Chairman. I had started to have some discussion with the minister and Judge Thomson about the replacement of the four-phase system and the kinds of resources that would be available to make the new system work.

At the point we adjourned, I think Mr. Carman suggested that if we could first deal with my concerns about homes for special care, the staff could go back to work, so to speak. I don't think that would take too long so, if I could do that and then come back to—

Hon. Mr. Norton: We can give Judge Thomson a chance to eat his lunch. He's brown-bagging it.

Mr. McClellan: If I could just restate my concern, it is not a new one. I think I have raised it a couple of times in previous estimates.

The concern, simply put, is that rumours persist that, contrary to the intent and the philosophy of the ministry's program for the developmentally handicapped and contrary to the philosophy of normal community living, retarded people were being discharged from schedule I and schedule II facilities into homes for special care. That was at the rumour stage. I have raised it a number of times over the years, hoping it was simply a rumour and wasn't happening.

Yesterday, we received an answer to a question I raised in the estimates last year that indicates a substantial number of, I gather, both adults and children have been discharged from schedule I and schedule II facilities into homes for special care.

Granted that the bulk of those discharges took place in 1974 or 1975 before the program came into existence, there still are 230 or 232 retarded people who have been discharged

between 1975 and 1980. Last year 34 retarded people were discharged into homes for special care, 23 from schedule I facilities and 11 from schedule II facilities. The previous year there were 62 from schedule I facilities and 10 from schedule II facilities discharged.

I look at the explanation provided. "In some cases the parent or guardian wished the resident cared for in a noninstitutional setting and the home for special care was the only option available closer to the parent or guardian.

"The children were placed in homes for special care from schedule II facilities dealing with children up to the age of six or seven. These children were profoundly retarded with multiple handicaps. These children depend on nursing care."

It is a pretty sad commentary that in 1979, four full years after the establishment of the program of normal community living, the only facilities for children whose parents want them closer to home is a home for special care. That is a pretty sad commentary on the program.

But I am more concerned about the second paragraph because, quite frankly, I believe that to be a patently shocking statement. The minister knows and his staff know full well there is no home for special care in this province that can provide the proper kind of care for a profoundly retarded child with multiple handicaps.

That is precisely the problem with homes for special care. They do not have the services built in. They are basically a room-and-board operation with minimal nursing care. They do not have the capacity to provide care for children who are profoundly retarded or with multiple handicaps.

Mr. Minister, unless you can come up with a pretty good explanation, I am going to ask you immediately to look into the situation of each of these children who are profoundly retarded and have multiple handicaps and give them a priority in terms of the rescue program.

1:10 p.m.

We did not put in a \$30 million rescue program to save the people who are in homes for special care because they were suitable for profoundly retarded people with multiple handicaps. We

did it for precisely the opposite reason; that they have absolutely no services available. Any child in that category who goes into a home for special care is condemned to neglect.

If you had not brought in the program you brought in last year you would have had litigation under the Child Welfare Act directed against you and everyone else who was responsible for the neglect of those children within homes for special care. You would have had to answer in the courts for the way those children were being treated. Yet we have an explanation here that tries to justify the removal of children from schedule II facilities, which have the capacity and funding to provide services for the profoundly retarded with multiple handicaps, and to say they had to be put into homes for special care in order to provide services.

Then the irony: developmental programs are to be introduced some time in the future. What is going on here? I point out and I remind you of what you said last year in Hansard, "I am certainly not aware of any who are being discharged into homes for special care." That was November 7, 1979, and I had similar assurances in previous years.

Tell me why this continues to go on as recently as last year and what possible explanation there can be for this, because I see it as shocking evidence of irresponsible behaviour towards retarded people by whoever authorized these discharges.

Hon. Mr. Norton: I think the statement Mr. McClellan quotes was a truthful statement at the time it was made.

Mr. McClellan: I do not doubt that.

Hon. Mr. Norton: On the basis of the major shift in philosophy that occurred following 1974 and 1975, as the subsequent survey that was conducted indicates in the figures Mr. McClellan has before him, there has been a continuing decline in the numbers of persons being transferred. At the time that question was asked of me, I was not aware, on the basis of the information I had, of the fact any transfers were continuing.

Since the survey was taken revealing that in 1979-80 34 persons were transferred, a directive was immediately sent to all schedule I and II facilities advising all admissions to homes for special care must be limited, unless it could be demonstrated the transfer would be in the best interests of the client and no other alternative was available for that particular client.

Mr. McClellan: In the absence of any developmental programming and in the absence of anything other than minimal custodial nursing

care in homes for special care, can you think of a single instance in which a case could be made that it would be in the person's best interest to move from a schedule II facility to a home for special care?

Hon. Mr. Norton: I am not intimately familiar with all of the homes for special care. I understand there are some that provided what is regarded as a good quality of service.

Mr. McClellan: Where is that?

Hon. Mr. Norton: It may be they have not had developmental programs but as I understand it there are some that provide good quality care aside from that. In some instances, the primary need of the individual has been, for example, for nursing care that was available in the home for special care.

Mr. McClellan: Can you give me some examples?

Hon. Mr. Norton: I can't give you the names of specific places. I can give you some specific examples of individuals who were transferred. I don't have a summary for each of the individuals because we did not have time to pull all of those together, but we have information on some of them.

One of the placements was from our facility in Edgar where a 53-year old woman was placed on a trial work placement in the Perkinsfield Home for Special Care. She had chosen that placement herself and it included, for example, light housekeeping duties for which she was paid. It was felt by the staff involved to be an appropriate transfer under those circumstances.

Another example was a 16-year old individual from Huronia Regional Centre who was profoundly retarded and nonambulatory and who was placed in a home for special care at the parent's request, based on the rationale that what was required in the case of that individual was nursing care. It was available in the home selected.

Every case is an individual judgement and I must say I can't attempt in every case to second guess the judgement of the staff who are working with the individual in trying to make decisions in his best interest. I expect to get summaries of each case and Dr. Farmer has begun that process already. I would be pleased to share that nonidentifying information with you, if you would like to have that.

Mr. McClellan: Yes, I would. I have read the qualification on page three of the written answer to my question, but I don't get much reassurance from anything you have said so far that this practice will not be continued.

Hon. Mr. Norton: It will not be continued

unless, in the individual case, it is determined the course of action is in the best interests of the individual. Surely you would agree the policy has to have some allowance for flexibility if it would be in the best interests of the individual to move to that setting.

For example, if we were to apply, with absolute rigidity, a policy saying no transfers under any circumstances, you might, for example, deny the 53-year old woman I was describing the opportunity to make that move into a setting where she would be not only involved in the decision herself, but have an opportunity to work in that setting.

That is not characteristic of all of them. I am not suggesting it is. I am just using that as an example to point out the limitations of absolute rigidity in any position that might be taken.

Mr. McClellan: You have put it in those black and white terms which—

Hon. Mr. Norton: No, I am not putting it in those black and white terms. You are putting it in those black and white terms. You are the one who is being black and white on this issue.

Mr. McClellan: No, I am putting it within the context of all the things I have said over the last five years around the implementation of the recommendations of the Williston report on mental illness and retardation. Every year this issue has at least been touched on within the context of the need for your ministry to put more resources into alternatives to schedule I and schedule II facilities so people don't have these crazy black and white choices: Either one stays in the institution or one goes into a home for special care.

That has never been my position. Don't put those words in my mouth here today.

Hon. Mr. Norton: Excuse me, I wasn't trying to put those words. I was not suggesting the policy you were advocating would limit it only to those choices, but the policy you are advocating would eliminate, from among the range of choices, the possibility of placement in a home for special care if in the individual situation that seemed to be appropriate and in the best interests of the individual.

1:20 p.m.

Mr. McClellan: Let me try again. My problem is simple. I do not believe anyone when he tells me a home for special care can provide anything other than room and board and basic, minimal nursing care. My understanding is they are funded to provide—what, an hour a day or an hour and a half a day?

Mrs. Malton: The minimum of 1.5.

Mr. McClellan: One point five.

Hon. Mr. Norton: The minimum of 1.5.

Mrs. Malton: The minimum is 1.5 up to a maximum of approximately 2.5.

Mr. McClellan: Hours per day?

Mrs. Malton: Yes.

Mr. McClellan: If you think that is adequate for a child who is profoundly retarded and has multiple handicaps, that is your problem. It is a serious problem.

Hon. Mr. Norton: At the same time—and I am not denying it is a difficult area—would you be prepared to rule out any judgement on the part of staff as to what may in individual cases meet the needs of the individuals and be in their best interests?

Mr. McClellan: As long as the services are there. But don't tell me that when between the years 1975 and 1980, children were moved into homes for special care, individual assessments of their needs were done and personal programs developed. If that had been done, it would be possible for you to sit there and say, "Yes, the best interests of the person were taken into account and a personal program was developed." That is not what happened and you know that is not what happened.

At some time in the future, those programs will get put in place and obviously it then will not create the same kind of concern. The fact remains that, on raising this question, we were given—not by your ministry but by the Ministry of Health—false statistics about the number of people in homes for special care and we were given assurances that this kind of transfer from schedule I and schedule II facilities was not happening. It was happening.

Do not sit there today and try to say that, despite all that, these transfers took place on the basis of some process that had in mind the best interests of the children and is somehow adequate in terms of services. That just digs you deeper into an impossible situation.

Your responsibility, it seems to me, has been indicated and set out in the policy statement from last May. That is the proper direction. There ought to be a certain priority given, particularly to the children who were moved out of the institutions and into homes for special care, to make sure those assessments are done and a personal program developed for each and every one of those children.

What will satisfy me today is a commitment from you there will not be one, single, additional transfer from a schedule I or schedule II facility without a complete assessment and the development of an individual program for that person

before the transfer takes place, and that you or your senior staff be satisfied those conditions are met before any person goes into a home for special care from this point forward.

Hon. Mr. Norton: I can certainly give you that undertaking. I think it is fair to say that, in large part, is what has been done, not necessarily in terms of developmental programming.

There has not been a complete lack of opportunity available to them as you might believe. Some of the individuals transferred to homes for special care require minimal kinds of support and are, for example, working in workshops in the community. There are a great variety of situations.

As far as your request for that undertaking is concerned, yes, that is an undertaking we can give you.

Mr. McClellan: I know something of what I am talking about. I have been to the Brant Sanatorium, for example, which is a combination of schedule II facility and home for special care.

I do not know if you have been there. You should go there because it has an exceptionally dedicated staff who really stretch things to the limit to try to provide services not just to the children in the schedule II facility for whom they are funded to provide services, but also to the children in the home for special care for whom they are not funded to provide services.

Regardless of the best efforts, the extra work and the dedication of the staff, they cannot provide the service so the children in the schedule II facility get occupational therapy so their hands are not crippled, but the children in the home for special care have the kind of syndrome that indicates neglect. There is no other word to describe it.

That contraction of the muscles takes place with retarded children because of the absence of therapy services that would permit them to develop the use of their hands. From talking to professionals, I gather it cannot be cured without very painful surgical procedures that require bones to be broken.

That is in a home for special care that really understands the needs of the residents and tries to provide the service. But they cannot. If they don't have the money and they don't have the staff, they cannot provide that service.

Don't tell me there are not some children at risk who have been moved from schedule II facilities to homes for special care. When you say they were children who were profoundly retarded with multiple handicaps, are we including deaf and blind in that group?

Hon. Mr. Norton: I cannot say with certainty. I can check when I get the summary of—

Mr. McClellan: I think I have made the point. I intend to hold you to the commitment you have made here.

I don't want to take up more of the committee's time, but I would like some breakdown of these statistics that would provide us for the last two years with some detail about the 72 people who were transferred to homes for special care in 1978-79, and some detail about the 34 who were transferred in 1979-80, the number of children, the kinds of handicaps they had and the kinds of services that are available to them in the homes for special care. I request the ministry to provide us with that information as quickly as it can be prepared.

Hon. Mr. Norton: I think Judge Thomson has something he would like to add.

Judge Thomson: I was just going to point out that since the development of the new program to add programs, beginning with the children in the homes for special care this year, only three children have been placed in homes for special care. Those three children were placed from the Christopher Robin Home where they only look after children up to a certain age because of the kind of program they provide.

Each of those children, as transferred, is now subject to full assessment and a full program will be introduced for those children, along with all the rest, as part of this plan. When the steering committee looked at those three, it went along with it on the basis of what is now happening with each one of those children to develop and introduce that program. That is why there have been only three and, I could assume, would probably only be three in total this year in terms of transfers. The programs will be developed for those children.

Mr. McClellan: Will be developed.

Judge Thomson: Yes. The assessments are now under way with those children, as we indicated yesterday. The programs will be introduced at the beginning of the year.

Mr. McClellan: Were they in schedule II facilities?

Judge Thomson: Yes. They were in the Christopher Robin Home where at a certain age—I think it is seven—children are too big for that schedule II facility, so it was necessary to find another placement. The homes for special care for those three—two homes are involved—were approved on the basis of what we were doing to introduce the programs for those three children, along with all the rest. I am only

speaking of what has happened since the project began.

1:30 p.m.

Mr. Chairman: Mr. Minister, do you have a response for Mr. Blundy?

Hon. Mr. Norton: Perhaps just a very brief follow-up to our discussion yesterday with regard to the young child whose parents had been attempting to have her admitted to the Villa Private Hospital.

My letter to the mother was sent out on October 16 and we were in contact with her since yesterday by telephone and have found she has received the letter and is now aware of the assistance we have offered and suggested to her, at least on an interim basis, through Surrey Place Centre. It is my understanding from talking to the staff person who was talking to her, that she is awaiting further information from the Ministry of Health.

We have been in touch by letter with the Ministry of Health so they are aware of it and we hope something can be worked out for that family. In the meantime we have made the suggestion about Surrey Place Centre which could offer a parent relief program for periods of two or three weeks, or whatever was required, as required, to help them during this interim period.

I did undertake yesterday to check to make sure that the letter had gone out and that they had received it, and that is the case.

Mr. Blundy: Okay. Will that girl be put in a nursing home under the auspices of the Ministry of Health, either a nursing home or a special hospital, or do you have any idea what will be done to look after her now?

Hon. Mr. Norton: I do not at this point know what arrangements might be made for her with the Ministry of Health.

Mr. Blundy: As far as your ministry is concerned, I recognize that Surrey Place Centre would be providing some interim help, but your ministry itself would not have an appropriate place for a person who has such a serious condition and requires nursing care?

Hon. Mr. Norton: From your description—and I am not intimately familiar with the child's health-care requirements—it certainly sounded to me as though her primary need was health care, given the very serious physical complications she had in addition to perhaps some degree of retardation. On that basis, I can only assume it would be a health-care facility that would meet her needs.

Mr. Blundy: Your ministry does not have an

institution that would handle a person in such great need of actual medical treatment and nursing care?

Hon. Mr. Norton: I do not believe so.

Mr. Blundy: So it would then become a Ministry of Health problem. I had assumed all along that was probably what it would have to be ultimately. However, the family is now in contact with Surrey Place and they will probably be working out some way of assisting them?

Hon. Mr. Norton: I would hope so, yes. Certainly that is a service available to them.

Mr. Blundy: There is one other thing I would like to ask the minister. This is a matter in my own riding.

Mr. Chairman: Mr. Blundy, there is another response. Perhaps we could give that before you get on to your other point.

Hon. Mr. Norton: I will ask the deputy to do this one.

Mr. Carman: Mr. Chairman, this question was asked when the estimates of the Social Assistance Review Board were before the committee and it had to do with appeals which were made in terms of chronic care co-payments where the individual was receiving chronic-care services and an appeal was made against having to make the co-payment. I believe Richard Johnston asked the question: What reasons were given for the denial of the 19 appeals?

The reasons provided by Mr. Borczak, the chairman of the Social Assistance Review Board, are in 16 cases the spouse of the person appealing was receiving old age security and one of the ground rules of the regulation is that if the spouse is in receipt of old age security the appellant is not eligible for the exemption from the chronic care co-payment.

The other three were claiming a principal residence which, indeed, was not their principal residence. The members may wish the details of each of these, but in each case the principal residence which was shown to the board was not the appellant's principal residence and, as a consequence, they were denied on those grounds.

Those were the entire 19 appeals made to the board for 1979-80.

Mr. O'Neil: Are you finding that these appeals have dropped off almost completely?

Mr. Carman: I am not aware of the exact figures. That would be my impression, Mr. O'Neil, but I could not confirm that. As you know, the Social Assistance Review Board is completely at arm's length from the ministry and we are not up to date on their current work load.

Hon. Mr. Norton: If I might just add to that,

certainly it is anticipated that the numbers of appeals would taper off. In my conversations with the administrators of the chronic-care facilities I am familiar with—in my own riding is one good example—the difficulty in the transition appeared to be mainly experienced by those people who had already been resident in the chronic-care facility for a time prior to the introduction of the co-payment requirement. The people who were being admitted knowing what the ground rules were before they came in, so to speak, did not seem to be experiencing the same kinds of problems.

Mr. O'Neil: Do you look at this as being quite a saving? Have you ever figured out what revenue it is bringing in or saving the government?

Hon. Mr. Norton: It is not really a very significant source of revenue. I think one of the principal reasons for its introduction was to have a greater degree of equity across the system.

For example, people with very similar needs could be in a nursing home or a home for the aged in an extended care program or in a chronic-care facility. As it existed prior to this, those in a nursing home or a home for the aged in extended care were required to pay co-payments. But if, almost by accident of circumstance, a person became resident in a chronic-care facility, they were not in a position to make any contribution, then in trying to treat people equitably, where it became really a long-term residence for that individual, it was felt that the treatment ought to be equal across the system.

The decision was not taken for purposes of raising revenue.

Mr. Blundy: I was going to ask the minister, the Sarnia-Lambton Centre for Children and Youth has been preparing an application for further services for juveniles and, as I understand it, that application has been sent to your ministry to see if they could get funding for this field. Are you or any of your staff aware of whether you have received that application and, if so, what is the status of the application?

Hon. Mr. Norton: It is not an application that has come to my personal attention at this point. I do not know whether Judge Thomson is familiar with it or not.

Judge Thomson: I think not to mine either, Mr. Blundy, although I had heard we would be getting a proposal that would at least involve a request for funds for the purposes of assessment of juveniles before the court. They have been involved in providing assessments to the court and I had heard, actually from the judge, that we were going to be receiving a proposal to expand that.

To the best of my knowledge I have not received it. It would probably be in the hands of our regional people. I could find out what the status of that is, though, and let you know.

1:40 p.m.

Mr. Blundy: In further discussion on this matter, I would just like to point out that is an area of need in the city of Sarnia; there is no other area that handles these juveniles and the staff at the Sarnia-Lambton centre is very capable and able to do this sort of work if there were the funds.

I presume there is further assistance needed in the way of staff as well; I am not familiar with the program, but I know it is one that is very highly spoken of in Sarnia and Lambton county. The work load there is absolutely amazing. It has grown and grown so much and they seem to be getting into many more new cases all the time.

I just wanted to let you know that I am very interested in it and I would like to hear what your ministry has to say when the matter does come to your attention.

As we are dealing with anything within the children's services, I would like to ask the minister a few things about the children's mental health centres and some of the things I see in the estimates.

In 1979-80, I understand, there was a reduction in the number of beds resulting from cutbacks in expenditures in this area. I have seen various figures ranging anywhere from 100 to 150 beds cut.

One thing I was looking at under the children's services program on page 132 is the graph which shows that the level of expenditures, 1976-77 to 1980-81, has gone up very substantially. I want to know from the minister how many beds were cut in the past year and how does this graph happen to show such substantial expenditures in 1980-81 if there are no more beds. Just what is represented in that expenditure graph?

Judge Thomson: The money that was pulled out from the larger children's mental health centres; in actual fact the total amount that was pulled out last year, added up to \$2.2 million. The number of beds, as best we can estimate it, that have been cut adds up to approximately 130 beds. We had estimated the number of beds cut would be about 100. In some cases there were more beds cut than we had thought.

In some cases, for example with Windsor Western Hospital Centre, we estimated the number of beds based upon the per diem and felt that only a small number—two, three or four beds—would have to be cut, but 13 were. You

may recall we had a number of discussions with Windsor Western about that.

The reason the budget does not show that money was taken out is because the money taken out was put into other programs. You may remember it was not money that was pulled out and not used, but was money that was diverted to other areas. So, for example, some of the money went back in for prevention programs, some of it went into hard-to-serve children in terms of special contracts for children. It is in this line item of the budget that money generally shows but it was used for different purposes.

In addition we had, as you may recall, some money set aside for new programs in the north. Some of them are of a children's mental health nature, primarily nonresidential and not residential. Those dollars also show in there so that, while the money was pulled out of the centres, it was not pulled out of that part of the budget. It was still used but used for other purposes. That is why the \$2.2 million does not show up on that chart as an actual reduction in our expenditures.

Mr. Blundy: It is difficult for me to understand how 130 beds could be cut. According to a survey done by the Ontario Association of Children's Mental Health centres, in April 1980 there were at least 1,700 children on waiting lists for residential and nonresidential programs. It escapes me how you could cut 130 beds and still be able to handle the backlog of unmet cases that are apparently documented in Ontario.

Judge Thomson: There are two points to the answer, Mr. Blundy. Some of the resources we have pulled out are going into other beds, albeit a different type of bed. Yesterday I went through the beds we are opening for secure treatment in central region. Actually it will be in all four regions; there will be three of them. In addition, there is the secure unit. Some of the other dollars are going into some of the specialized beds, which I went through yesterday afternoon. They are, primarily, beds in the central region, where the demand has been the greatest.

We decided that it made some sense to take some of the dollars that were, I guess one could say, at the back end of the system, in order to free up more dollars for the front. If we are ever going to turn it around, in terms of reducing the demand for long-term residential beds, it made sense to do this. One of the functions we were set up to perform, as a division, when the division was formed, was to attempt to realign expenditures so that more dollars would go into prevention and family support and thus reduce the demand for residential services over a period of time.

That led to the decision to reallocate dollars

in children's mental health. As you also know, we pulled money out of the training school area and used those dollars to develop other programs. We attempted to put a portion of that money into specialized services—I guess what is called the "hard-to-serve system." This is money which is available to be tied to the individual child, rather than money tied into specific programs and specific beds.

If you total up the new money we are putting into those added beds, plus the money going into hard-to-serve children, it is substantially more money than the \$2.2 million that was pulled out. That is because of the necessity to develop these specialized responses and to have a way to deal, as best we can, with the difficult children on a one-to-one basis until we get the prevention of family support programs, which we hope will turn around demand over a period of time.

That is why we made the decision, recognizing that there will always be a demand for beds and for service which will only go down if we get the money into the other resources. There will always be some children who are very difficult to deal with. If we provide these specialized kinds of dollars, it provides some relief while we develop the other programs. That is the reason we did it.

Mr. Blundy: I think, Judge Thomson, it has been untimely to make the cutbacks in the interim period of trying to get these other special services in place. They have made it even more difficult for many people to have their children get any kind of service they require. Even for a child who is just coming into the system there are great waiting lists for assessment, I am told, all across the province.

1:50 p.m.

Judge Thomson: It is not in any way possible for me to say that there isn't a demand for service, and that there aren't children who are difficult to serve. I think some of the things we have been trying to do, such as saying, "Let's sit down and see what is best for this child," rather than ask, "Which is the program the child must be fitted to?" is a way to deal with some of that pressure.

But you are quite right. The pressure is there, and I think it will continue to be there until we get the payoff from the investment in the front end of the system, as people call it. We have tried to relieve that, but it is true that we certainly have not eliminated that pressure while we develop the other programs.

Mr. McClellan: What is the payoff at the other end of the system?

Judge Thomson: My hope is that the payoff to the programs we are developing in prevention and so on is that children will not reach the stage

of needing the kinds of specialized services we are talking about in terms of long-term residential care.

Mr. McClellan: Have I missed something? Where is the massive commitment to prevention programs in anybody's budgeting?

Judge Thomson: We have a list of the programs that we have been funding with our prevention dollars, and we have also developed a number of nonresidential programs, but the commitment has been to the extent of the dollars that we freed up to put in that area. As Mr. Blundy pointed out, and I guess as I pointed out, the amount of money we put out last year was \$2.2 million.

Mr. Blundy: It is very difficult for me to understand the number of children who require this. Not that it has anything to do with your ministry, but every year there seems to be an increasing number of children who require some kind of a needs assessment and some kind of program and so forth. I don't know the answer to why it is happening, but it is happening.

The point I am trying to make is that when you see that is the trend and has been for a number of years now, I don't see how you could cut back on areas of treatment beds and so forth without putting more money in the system. The front-end problems you are talking about are where new money should have gone, instead of chopping out some from the centre.

Hon. Mr. Norton: I would not, for a moment, pretend that this is not and has not been a difficult period, not just for anyone involved in children's mental health services but those involved in a whole broad range of services. This applies not just to this jurisdiction but elsewhere.

As you observed, we are experiencing what I think in some instances are trends, and in other cases perhaps not so much trends as that we are discovering problems that may not have been discovered earlier.

Mr. Blundy: I don't think it is necessarily the latter. I believe it is a case of a great increase in the number of children who are experiencing these problems.

Hon. Mr. Norton: There were some critical decisions that had to be made with respect to trying to deal with that phenomenon. One of the critical choices that had to be made was do we simply continue to build on the basis of precisely what we had been doing, or was it important to try to address some of these things in a preventive way?

It is extremely difficult, regardless of how much money is available, because when you have large programs in place what you really

end up doing is like trying to re-equip a ship during a voyage. You might as well give up if you're sinking and bail out. It is very difficult, and it is painful for the people involved, but it may be, ultimately, the more responsible way to go.

I would also like to say this—and I realize it is on a broader basis than just on a specific program. It has to do with things like certain newspaper reports, such as the one in the *Star* yesterday on delinquency.

Aside from the fact that I take very strong exception to the kind of language the *Star* used in describing nine-year-old children as "hardened criminals," I think they had better bear in mind that nine-year-old children read newspapers and the parents of nine-year-old children read newspapers. And children who might enter an observation and detention home, or go to such a place for assessment, read newspapers. I find it offensive that they make those kinds of statements. In addition—maybe I will get a chance to comment in the House tomorrow—there were some very real and basic inaccuracies in the information in that article. I don't know what their sources were.

Aside from that, it reflects some of the difficulties we are experiencing, generally, in our society. Some concerns were quoted in that article—accurately or otherwise, I don't know—as having been expressed by some of the workers relating to what they thought might be factors contributing to what they perceived to be an increase in delinquent behaviour of younger children. That is, family breakdown, the fact that there are many single parents left as heads of families without the kinds of supports that might once have been there.

A number of things were cited there. It struck me as I was reading that article that it has a fair amount in common—at least from what to this point has been only a superficial review of it—with the information contained in a Senate committee report released within the last couple of weeks and the kinds of observations they make.

Somehow our society has to start grappling with this problem, and not just in terms of programs to support the children and their families. On a deeper basis, we must come to grips with some of the forces in our society that are creating the problem. I don't know what they are and I don't suppose anyone does. We can only speculate.

Some would attribute it to contemporary materialism and the fact that in spite of the lip service we as a society pay to our children, they really are taking second place to material pursuits

in the lives of many of us. If that is the case, we have to try to address that. But there is something seriously wrong, and it is not going to be resolved by simply developing another program.

One might say that there are, morally and philosophically, some serious problems in our society today that we have to come to grips with. It may not be appropriate that a Minister of Community and Social Services be the one who tries to raise those concerns, but someone has to try to do it. It strikes me at times that throughout the community of caring people in our society there is a fractionation of effort. There is no lack of effort on the part of individuals or groups, but there seems to be a lack of coherence in our efforts to address these kinds of issues.

It is very troubling. I am not suggesting that after having been in this ministry for almost four years I have any or all of the answers or that I have perfect vision, but I do think I have had an opportunity over that period of time to see some very troubling trends. I am not sure that government is an institution which can adequately address those kinds of broad concerns. Perhaps government can do more than it has been doing, but I—

Mr. O'Neil: Who are you saying should or could be doing it?

Hon. Mr. Norton: I don't know. If I knew the answer to that, Hugh, or if anyone else did—

Mr. O'Neil: You must have some idea, though, when you say government can't.

Hon. Mr. Norton: I think it has to be a combined effort on all fronts. Who does the co-ordinating, I don't know. Is it a role of the state, or is it a role of other individuals or agencies in society? There are value judgements involved. It may well not be—

2 p.m.

Mr. O'Neil: Are you talking church, family?

Hon. Mr. Norton: I think those have to be involved in trying to address the problems. I think that, initially, more individuals have to try to address the concerns constructively and in a public way; to heighten awareness and say: "Look, these are our children, and these are the adults of the next generation who are experiencing these problems. How do we go about it as a society to address the problems?"

I am not minimizing the importance of the role of the ministry in terms of programs and I am not trying to divert attention from the issues you have raised initially, but I think it is important in the broad spectrum of things to recognize that while programs alone will meet some of the individual needs, they will not

address the broad social ills that I believe exist in our society.

Mr. Blundy: I appreciate and agree very largely with what you are saying. We could talk all day about the changes in society and the need for stronger family relations, which I believe would be strengthened by stronger church affiliations and so forth. But that is not something we are going to be finding in the estimates of the Ministry of Community and Social Services.

Hon. Mr. Norton: I don't think we have a line item on that.

Mr. Blundy: No, so we can't very well talk about that.

I have a very distinct feeling that the cutbacks that have been made in children's mental health centres, particularly in institutional care and so on, is backing up children into the front end of the problem, and they are not being attended to readily or successfully in that area. This, in turn, is backing children up in the schools and neighbourhoods where they are problems as well.

It is really a very major problem that has to be addressed. It is obvious that the case load in our communities is there. In my opinion, the mechanisms to look after them are not there to the degree they should be. As a result, the children's aid societies are inundated, there are problems with the children in the schools and the whole thing becomes a vicious circle.

I really can't put forth my view strongly enough that children's mental health services in our communities—and ultimately, I presume, the beds and so on that may be required—are a top priority. I do not believe it is being carried out to the degree it should be.

Judge Thomson: Mr. Blundy, perhaps I could clarify something. The dollars are going into the special residential programs I have talked about, such as secure treatment, which is very much a mental health program, as are some of the other residential beds, such as the beds we are developing for the disturbed retarded and so on. The dollars are also going into the special individual programs for children, which may or may not involve a mental health aspect to the individual program.

Those dollars are over and above the money we have removed from the children's mental health centres last year in terms of beds. I think it is important to make that point. I guess the problem one has is if you focus totally on beds, your growth there becomes infinite. It will never turn around because all you are doing is adding more and more service at the end, which is too late.

That is why I think there is some sense, at least, in making a start, difficult as it is, in services that may reduce the need for those beds. I say that without in any way trying to reduce the level of concern for the children who are pressing for service at this point. There is a tough stage one goes through, but I think some of the things we are doing, such as the secure treatment programs, respond in very specialized ways for the very difficult child while others, in fact, slowly turn it around.

But if you don't start, it will never turn around. It will be an infinite growth at the back end and you will never ever have the kind of family support and prevention services you need.

I might also say that children's mental health programs are both residential and nonresidential. Some of the nonresidential programs are enormously valuable in preventing children from having to come into care. We have been attempting to provide some assistance there. In the north, for example, some of the new programs are nonresidential in nature. There is also, in the east, a new francophone, nonresidential, mental health service. And some of that I think is enormously valuable at the stage that is most important.

Mr. Blundy: I agree with what you say really, and I agree with your philosophy of cutting back in the bed area so you can devote more money to areas that will prevent the ultimate need of beds down the line.

The whole philosophy is very good, except that I think the cuts have been made too precipitately, that actually what was needed was more funding in the front end area, rather than taking from along the line and putting into the front end area. I am convinced that is what is needed. From what everyone tells me—and I read the papers—from the people who come to see me, I gather that is the problem. I don't imagine you are going to say I am right.

Hon. Mr. Norton: No, I would say the situation you describe would be ideal. I wish that approach were possible at this point. It would be an easier transition. It would be like being able to build your ship in the dockyards while the other one was out afloat, and then make a quick transition at some point.

Mr. Blundy: Before the one sank.

Hon. Mr. Norton: If one had unlimited resources so that one could do it that way, I am sure that always would be the choice that anyone would make.

Mr. McClellan: Could I just ask at this point about money that is budgeted for 1980-81? Is it

contemplated that there will be additional bed cuts in the children's mental health centres?

Hon. Mr. Norton: No.

Mr. McClellan: I cannot understand this stuff on page 133. Are there additional beds in the system?

Judge Thomson: There will be, in that the funding for some of the new beds, like secure treatment beds, will come through this line item. I am having trouble thinking of new children's mental health beds. I don't think there are new ones this year.

Mr. McClellan: You have a total of 1,152 children's mental health beds this year, is that correct?

Mr. Barnes: It does not include secure treatment.

Judge Thomson: It does include Thistletown.

Mr. McClellan: Yes, I gather it includes Thistletown and White Oaks. But it does not include secure treatment?

Judge Thomson: No.

Mr. McClellan: And again, you told me yesterday, that is an additional how many beds? Is that what you were giving me yesterday, the 10 beds and—

Judge Thomson: Yes, although I gave them to you just for central region. There are two other secure-treatment units opening up in the province, one in the east, one in the west, in London. Each of those is about 10 beds.

Mr. McClellan: Do you know if your figures on the number of beds jibe with the children's mental health association centres' total for the number of beds?

Hon. Mr. Norton: I think they are close.

Judge Thomson: I think you have raised a good point. Kathleen Morrison, who is here, and I have exchanged a number of letters over the past several months. Part of the problem has really been our difficulty in knowing exactly how many beds are out there. We have had to do a sort of manual check with each centre.

I think, as of about a month ago, the figures we gave were consistent. I am not positive in that I have not had feedback from Kathleen since the last letter. But I think we are agreed now on how many beds are out there, and what beds we are talking about, which programs we are and which we are not. I am not positive.

2:10 p.m.

Mr. McClellan: Is the tracking system in place—

Judge Thomson: I think it is about 80 or 90 per cent in place. The only ones that are left are,

I think, some of the larger children's aid societies, because we are working with their own information gathering system.

Mr. McClellan: So you should be able to tell us what the waiting lists are for children's mental health centre beds at this time.

Judge Thomson: The tracking system keeps track of children who are in residence somewhere. It does not keep track of those who are waiting to come into that residence. If the first stage of it works well, then we are in a position to move on to nonresidential services and we will have that. But the tracking system at this point keeps track of children who are in residential beds, so we know where they are, and we know when they are moving.

Mr. McClellan: Could I just try to nail that down?

Mr. Sweeney: I understand there are between 1,700 and 2,000 on waiting lists. Can you not confirm that one way or the other?

Judge Thomson: I don't think we can. I think we can take information that is given by the programs regarding the children who are on the waiting list. We have not gathered those from each centre and we have not compared them to find whether we are talking about some overlap or duplication. I don't think we are in a position to be able to tell you exactly how many are waiting to come into each of our programs.

Mr. Sweeney: Roughly?

Mr. Blundy: That figure is both residential and nonresidential care, I take it.

Judge Thomson: That is my understanding, yes.

Mr. Sweeney: But when the association makes that kind of concerned statement to you, do they support it with evidence that indicates that at these various places we have 80, or we have 120, or whatever the case may be? I am sure they are not pulling figures out of the air. I don't know the basis of it, but they are not pulling them out of the air.

Hon. Mr. Norton: I am sure they are not pulling them out of the air either. We don't have—at least not that I am aware of—a list of the individuals, which would be necessary to do a complete check on the waiting list. For example, if a child in a given area were awaiting service, theoretically that child might be on a number of waiting lists of agencies in that general area.

At this point we do not have that information to be able to do that sort of check, so we are not saying that it is an invalid figure. I am just saying that we are not in a position to confirm that. I

don't know whether the association has done that kind of check either. They certainly would know.

Mr. Sweeney: Even with the possibility that this figure is relatively accurate, surely you would want some way of checking to see whether it is or not. What mechanism do you have in place to deal with it? Here's a claim that there are between 1,700 and 2,000 kids waiting for service.

Hon. Mr. Norton: We could contact each individual agency and ask them if they would provide us with their waiting list. That would be the only way we could do it.

Mr. McClellan: This does not make any sense within the context of the tracking system that is supposedly following all children in the province in need of service. The children have to be somewhere presumably.

To follow that point, if a child was in the children's aid society awaiting residential treatment, surely the child would show up somewhere in the tracking system. What is the point of the tracking system if you can't tell which children are in need of service?

Judge Thomson: It performs a very valuable function in terms of knowing which children are in residence, where they come from, when they are moving, identifying children that are doing badly, or are in residential care.

In theory, one could expand that. In fact, maybe the tracking system ultimately should be expanded—and we have suggested this will perhaps be possible if the first stage goes well—to include all children who are in service, even though they may not be in residential beds. Although that is a fairly major undertaking, it is part of the next stage we think we should go to if the first stage works well.

Whether we should go to a third stage and keep track of any child in the whole province who has been referred to a program for service—and you have to remember that for a children's mental health centre certain referrals could come from parents themselves, they could be coming from a doctor, wherever, a school—whether we should keep a list and a record of all of those children is perhaps another issue I am not sure we have really addressed.

I think one needs to develop some ideas of the need for service generally, but I am not sure the way to do that is to keep track of anyone who is waiting for service, whether or not they are receiving service. We have not contemplated at this point going to that stage in terms of a tracking system.

Mr. McClellan: That wasn't my understanding

of the function of the tracking system. Obviously, I misunderstood. But I would be curious to know if other people had a similar misunderstanding.

I had assumed that one of the things the tracking system would do, as well as trace children as they meander through the service system and, one would hope, prevent these kinds of multiple placements and that kind of thing, would be to identify demand for service and to make sure you did not have children outside the system waiting to get in and being blocked for long periods of time.

That was what the five-agency report was telling us last year to some extent: the number of kids on the waiting lists for service all over the damned place. Nowhere in the system was there some way of red-flagging that and making sure that, okay, this child will get matched up with that service.

Judge Thomson: Actually, I think all of the children referred to in that program would be covered by the tracking system in its present form, because all of those children were in residence somewhere or were wards in the care of the children's aid society, and they are all covered.

If we move to the next stage and cover all the children receiving service anyway, you are talking up to around 100,000 children in this province. The question of whether we go beyond that and deal with anyone who has been referred for or waiting for service is another issue.

I think the tracking system can provide a tremendous amount of information and help both with needs and the kind of service being provided, without necessarily going to that next stage of anyone who is, for example, in their own home waiting to get service somewhere. It is on that point that we have not, at this time, made a decision we should move to. There are some fairly major issues as well, such as confidentiality, that I am not sure about.

Mr. Blundy: I just want to mention something—and the minister will not mind me mentioning this particular item.

You may recall last year when we did the estimates I brought to your attention the case of a boy of about 10 years old in my riding who was trying to get into the Vanier Institute because that is what they said he needed. At the time I told you how bad he was. He would not even look at me and if I walked into the room at his parent's house he would run out and cry and so on. Children don't always do that when I walk in the room, but this one did. He was a very emotionally disturbed kid because of an illness. I remember giving you the details on the case.

Anyway, very shortly after that he was admitted to the Vanier Institute. He was in there for about six or maybe eight months, I am not sure the length of time. But I was on the train one day, going home to Sarnia and it stopped in London. This little boy got on the train all by himself. He walked right over to me and said: "Hello, Mr. Blundy. See, I'm nearly all better." And he was just like any ordinary kid.

Mr. Sweeney: You do something right once in a while.

Mr. Blundy: I just thought I would make your day by hearing about one case where I think something was done correctly there, because he seems to be fine. I have not seen him lately, but he is back in school in Sarnia now.

I was really surprised, because the kid would not even look at me; he would not raise his head. Here, he walked over to me and spoke to me on the train. So something was done correctly.

Hon. Mr. Norton: I do not think I can take any credit for that.

Mr. O'Neil: Why not?

Hon. Mr. Norton: I just have to give credit to the agency working with the child.

Mr. Sweeney: You take the blame for everything else, you might as well take credit for this.

Hon. Mr. Norton: My job is just to take the blame, not the credit.

Mr. Blundy: It strengthens my view that residential care is required. Obviously it was in the case of little Graham. It has made a new kid out of him, after six or eight months—I don't know for how long.

I am just pointing out to you that you cannot cut off one area too drastically to provide for another area, because it was obvious this kid needed what he got at Vanier Institute.

I will just coast for a minute if anybody else wants to ask any questions.

Mr. O'Neil: I have some questions when the deputy and Judge Thomson are here. Are they going to be long?

Hon. Mr. Norton: I think only five or 10 minutes. Fifteen minutes.

Mr. O'Neil: Go ahead then.

Mr. Sweeney: Mr. Chairman, mine is supplementary to mental health centres. It is just a funding question for the minister.

I understand when the mental health centres were under the jurisdiction of the Ministry of Health you received federal funding as part of the Ministry of Health budget.

Hon. Mr. Norton: I cannot say for certain. I do not believe we did.

2:20 p.m.

Mr. Sweeney: The cost sharing, I mean. As part of a health service it was cost shared, that was my understanding.

Hon. Mr. Norton: I cannot confirm that. We will get that information.

Mr. Sweeney: The base of my question was going to be, what happened when it was switched over to your ministry and is now no longer—

Mr. Barnes: There has been no change in whatever relationship there was beforehand, that I do know.

Mr. Sweeney: I beg your pardon?

Mr. Barnes: There has been no change, none at all. It is the same principle.

Mr. McClellan: I wanted to pick up where I left off yesterday afternoon if any of us can remember where that was.

We were talking about the replacement of the four-phase system and particularly the kinds of resources that will be made available to make that system work—I hope better than the four-phase system works—I think we were starting to get an inventory of resources that would be put in place. I had asked for some information about numbers of children being served under the new system.

What do you call the new system? You must have some short way of referring to it.

Mr. Barnes: It is special services. It is still in the context of a four-phase system. In other words, we are trying to bring together special services for hard-to-place children who have been dealt with in the four-phase system and also children who are being dealt with alternatively in the community who might otherwise have gone to training school. We are trying to combine our resources to provide the maximum benefit.

Mr. McClellan: How many children would be in the system, first, at any given time and, secondly, over the course of a year?

Mr. Barnes: In the four-phase system?

Mr. McClellan: Yes. I wish you would not use that expression. You are going to have to come up with a name for it.

Hon. Mr. Norton: I am sure we will.

Mr. Barnes: We are using the words "special services."

Mr. McClellan: All right, let us call it special services.

Hon. Mr. Norton: We will have to find some acronym. We will have to come up with a better name than special services.

Mr. Barnes: I would hesitate to tell you how many children are in the system at the moment

because we have a situation where we have many children being referred to other placement agencies. What the exact figures are I do not know. I can try to find out for you.

For example, last year through the special services unit we ran in conjunction with Central Toronto Youth Services there were 138 referrals as of October 29, 1980, but how many children that represents in the total system at this time I would hesitate to answer straight off.

Mr. McClellan: Let me backtrack. I was obviously labouring under a misunderstanding that the centralized intake assessment in the planning body proposed in March was actually the model that was chosen and put in place. That is a problem of my perhaps not doing enough homework.

Mr. Barnes: Would you like me to explain?

Mr. McClellan: I would like you to run through the structure of the thing.

Mr. Barnes: Although we are trying to bring them together, look at the structure as two pieces of one system at this moment. The stabilization unit and the planning unit which George Thomson referred to yesterday, and the two semi-secure group homes he spoke about and the specialized foster care he spoke about, are community alternatives for crown wards—alternative training school wards, in other words—in central Toronto. That, in total, in an annualized figure, is about \$1.4 million.

In addition, we have the alternatives being developed to what has historically been known as the four-phase system, including Queen Street and the phase one agencies. What we are aiming for in that context is a crisis unit which will take up to 10 children, plus a crisis response team which will also be based on that unit, plus the secure treatment which George Thomson was talking about, plus hard-to-serve money, as we call it at this stage, which will be spent jointly on all forms of children who are hard to serve, whatever gate they come into the system through, in terms of providing contract, one to one, special placement—additional money beyond what might be the normal cost of keeping those children in residence.

I will check that I have not missed anything there. There also is the Toronto Youth Rehabilitation Organization program that George Thomson referred to yesterday, the 14-bed residential program for disturbed retarded youth.

Mr. McClellan: And that fits into the total picture? The alternative to four-phase?

Mr. Barnes: Yes, it does.

Mr. McClellan: Is there not something called the centralized intake assessment planning body?

Mr. Barnes: That is the planning unit I was talking about at the very beginning. It undertakes a role of assessment and a form of centralized intake for looking at those children. It is a planning unit.

Mr. McClellan: I am beginning to think this is more complicated than the four-phase system.

Mr. Barnes: One of the problems around the four-phase system was that one had diffused accountability in terms of referral dollars. What we are trying to do is concentrate that accountability.

Mr. McClellan: Okay, good, but where?

Mr. Barnes: There is a model which is being developed right now, as Judge Thomson said yesterday, and we are expecting a report from the committee which consists of both users and workers in terms of what the most appropriate model would be.

The sort of model we believe they are coming up with is one which presents one focus through which the transfer payment money will flow for all those services which I have been identifying just now, apart from some of the alternatives of the training school ward in so far as that lies in the direct operating expenses of the government at this moment.

Mr. McClellan: This is where I was confused. In March we had an accountability model and what we have now is a network of alternative services. The March model has not been implemented and at this point we do not have an accountability mechanism that is visible.

Mr. Barnes: The March model has not been implemented yet, there is no question of that. What we still have and what we are aiming for and what we are confident of achieving is an accountability model.

Mr. McClellan: Yes, I understand that. Why did you move away from the model that was presented in March? I do not have any trouble with the array of services and the way you have structured the alternatives. I think you are making some real progress in this area and I am pleased about that. Again, the problem with the four-phase system always was the diffused accountability and the gamesmanship and the whole thing. We have talked enough about that.

You had a model that looked as if it had the potential for replacing that diffused system with a clear accountability thing, but that also made arrangements for co-operative decision-making and incorporated the service providers into the structure.

That whole thing seems to have evaporated, certainly in my consciousness. I do not know where it is. You had a system of alternative

services in place but I do not understand who is pulling it all together, who is co-ordinating it and any of those kinds of things.

Mr. Barnes: I can understand your feelings of confusion. We have been talking about implementing it since March and I think that is an utterly fair comment.

The point I want to make is at that time we were faced with a choice of either trying to impose something quickly, or trying to develop, with the co-operation of the actual people involved in brokerage and the actual people involved in using the system, an agreed and totally committed approach towards an accountability system which, after all, would be taking from existing agencies some responsibilities, dollars and people.

It has taken us a long time to get a consensus with the agencies as to how we should do that. We now feel we are about to achieve that consensus and we think the time spent has been worth while in that we believe, in the process of taking the time, we have got the commitment from the users.

We think that is more important than having just walked in, imposed and implemented immediately. We would rather have been able to have implemented immediately but we felt the co-operation was worth waiting for.

2:30 p.m.

Mr. McClellan: Reading between the lines, I would assume there were objections to the March model. Some of the things were anticipated in the March working paper. They were anticipated in fairly blunt language—opportunities for sabotage, seconded staff may find it difficult to be accountable, undermining by neglect, et cetera. I am disappointed those kinds of things have come to pass.

Mr. Barnes: Clearly, an agency faced with the possibility of losing funding and losing staffing to some other agency—was not being taken out of the system—is going to need to be convinced that what is going to be proposed is better than what it is doing now, particularly when it sees itself as doing a good job. Clearly, there were differences of opinion about why it has taken us time.

I want to reiterate I am confident now that we are about to come forward with a model that has a commitment of all the agencies towards what we are doing amongst those involved in the phase one part. If we can achieve that, quite frankly, that will be something of an achievement.

Mr. McClellan: Are you or is anyone in a

position at least to share the outlines of the model with us?

Judge Thomson: In general terms, instead of having a government-run special services unit which would take on all the funds relating to—later I was going to give you the breakdown of the money we have got into individual children. In regard to those funds, plus the options dollars—that is another individualized program—plus the allocation of the resources to what were previously the phase four agencies and some of the phase-one money, instead of having that taken on by a government-run body with an advisory board which had on it representatives from those various programs, it would appear we would probably establish a body which would be separately set up, which would perhaps be a separate children's mental health centre with a board composed primarily of so-called user agencies.

Children's aid societies would be on it. The corrections people would be on it. We would be on it. There would perhaps be some representation from what are called phase one agencies. They would actually administer the program and then would determine how the dollars would flow.

It is very similar to what was being proposed in March, in my view, but it does not have government, in a sense, taking over the operation. It makes use of those who are out there now as a privately run children's mental health centre rather than us running it as a separate unit.

Mr. McClellan: How is that different from the four-phase system?

Judge Thomson: It is very different from the four-phase in two ways. One is that all the other hard-to-place programs get put into that same pot, so you do not have three or four different hard-to-serve programs the way we do now.

Second, the dollars for the phase two, three and four programs would all flow through that unit. They would determine how the dollars would flow, so they would have no control over the use of those dollars and the residential beds where the children could go, as opposed to what is now the system where each one is a separate unit, has the money flowing separately from government and there is no control or direction coming from one body. That is the major difference and that was the major concern people had about the four-phase system.

For example, in the four-phase system the phase ones who are doing the brokerage really had, as the report said, limited control or power to direct in ensuring the beds that were available in the other phases were actually going to be

used for the hard-to-serve children they were identifying with.

Mr. McClellan: So what you have eliminated is the regional special services manager and the secretariat and have replaced that basically by an interagency board.

Judge Thomson: That is right, although the interagency board, I want to stress, is not a board which has all the agencies to which the children are being sent, but rather those who are seeking the service. In other words, you bring in programs like children's aid societies who have not been part of that at all before. Now, in fact, they are part of that.

Mr. Barnes: Could I just add one thing with regard to the model and the stage it is at?

The committee which has been reviewing this model and trying to achieve a consensus on it has consisted of the phase one agencies, CAS and users of it. The current situation is that I believe they have a draft model which they are looking at and are putting to their boards. It is subject to the agreement of those boards that this model is going to be recommended at this stage.

This is why I was a little cautious about the final model exactly, because we do want to ensure that there is general agreement as to the model.

Mr. McClellan: Just so that I understand, this new interagency agency will have control over the flow of funds or the purchasing service.

Mr. Barnes: Yes.

Mr. McClellan: It is interesting. Quite frankly, I like the March model because I thought it was thoroughly appropriate that there should be a very strong accountability of the entire system back through and into the ministry.

We will keep an open mind and a watching brief on this yet-to-be-announced model. I have just had so much bad experience with interagency models over the course of the last 20 years that I greet them with a certain amount of apprehension. This is totally off the top of my head, but I suspect that in the course of the evolution, since you are a participant on the interagency agency, you will find yourself increasingly in the first-among-equals position.

Judge Thomson: Perhaps I could say that as we talked with the other agencies about the appropriate model, one of the things we did stress was the fact that there are some tough decisions that need to be made, and that need to be made with respect to where dollars go, who gets them, and making sure the children who ought to be in those programs are there. That was one of the reasons why originally we

proposed we would take that on for a period time, although the original model suggested it might move out to other agencies.

They are saying, very strongly, they feel that with us those same kinds of tough decisions can be made. I think, as you say, it remains to be seen whether that can be done. I have some confidence, based upon what they have gone through in the last few months, that in fact they can.

Mr. McClellan: Just one final question, so that I understand. The interagency agency will have responsibility for all the services designed as alternatives to four-phase, plus the stabilization unit and the planning unit, or would that be outside that system?

Judge Thomson: They would not have the stabilization unit. Perhaps I could just summarize what they would have.

Mr. McClellan: Yes.

Judge Thomson: They would have the bulk of the funds that are in what is called phase one, the brokerage planning level of four-phase. They would be entering into, or determining how the dollars could go, which now go to the phase twos, threes and fours. So the money for those would either go through them or go in their direction.

Then they would have what are really two separate programs with dollars for hard-to-serve children. They would have the funds that are now in our special services unit—and this year close to \$650,000 will be going into individual children through contracts. Then they will also have the options program which has developed over the last two or three years—another one that tries to develop individual answers for children—and that is about \$550,000, or perhaps a little more than that, this year. All of those funds come into this separate body.

Mr. McClellan: Right. I suppose I do have one further question. What happens to the existing phase one agencies? Are they phased out?

2:40 p.m.

Judge Thomson: One of them has been phased out already. Certainly the one in central Toronto, which does really nothing but a phase one kind of activity, will either be phased out or might even be used to take on this role. The other two phase ones offer some direct service as well as brokerage. So it is probable that, although it's something else, they may continue to provide that direct service.

Mr. McClellan: Right.

Judge Thomson: For example, east Metro

does some of this planning, but it also runs a home on Galloway Road. It would probably be true that they would continue to run that home as a direct service, which could be purchased by this new body.

Mr. McClellan: Right.

My final question is what is the budget?

Judge Thomson: The total budget? For all of those?

Mr. McClellan: Yes. The only figure that Peter gave me was the \$1.4 million for the—

Mr. Barnes: That is for the alternatives to the training schools.

Mr. McClellan: Yes. What is the total package—

Judge Thomson: Can we total all that up and get back to you? I am not sure what the total is.

Mr. McClellan: Sure. And perhaps you could spend some time doing that and comparing it with existing expenditures to the extent that is possible, just so we get a sense of whether there are additional resources, what those additional resources are, and how they got translated.

Judge Thomson: We will get that for you.

Mr. O'Neil: Mr. Chairman, turning to a new area; as the minister and deputy are aware, we have just come through a children's aid society strike in the city of Belleville in the county of Hastings. There are two matters that developed, or are worries I have, and I wonder if I could ask the minister some questions on them.

The first deals with a question that was raised, I believe, with the deputy when he visited the Belleville area some months ago, a concern of the people in the local government. That is about the election of members to boards of children's aid societies and the fear that control of a board could be gained by certain factions or certain groups.

I wonder whether you have any comments as to safeguards along that line.

Hon. Mr. Norton: The concern you raised has been a concern, not only in Hastings, but—

Mr. O'Neil: I realize that. That is why I asked the question.

Hon. Mr. Norton: —there has been some concern expressed elsewhere, in other communities in Ontario, as well. It is a difficult one to resolve in any sort of absolute way since the children's aid societies are separate corporate entities, the boards for which are elected at a public meeting.

Mr. O'Neil: Do you set down guidelines though as to the number of board members? I know you know the municipal people who are

on that board, but do you not set down guidelines that could protect against something like that happening?

Hon. Mr. Norton: As far as I am aware, the act only provides for municipal representation on the board. They are, I suppose one might say, ex-officio members. They are appointed by their municipal council to serve on the board. But as far as the other membership is concerned, they are elected at a public meeting.

The risk, of course, is that if a group of individuals should choose to attempt to control the board, that is a possibility in terms of them going in, or in some cases, they allow for—

Mr. McClellan: Why is that a risk?

Hon. Mr. Norton: That is basically the concern that has been expressed. There are a couple of instances where that has happened and, in fact, has backfired.

Mr. McClellan: That should not be described as a risk. That is a normal democratic process, surely.

If people have a set of values and objectives with respect to the running of the children's aid society in their community, it is totally legitimate as part of their exercise of democratic rights to organize to gain control of the board of directors in an open and public way, and have contested elections respecting different points of view.

Mr. O'Neil: It depends what their aims are, I suppose.

Mr. McClellan: Sure, the protection of children.

Mr. O'Neil: If it is for the protection of children, I would say I agree with you.

Mr. Blundy: As long as it is not just representative of one group in the community.

Hon. Mr. Norton: I think that is the concern. The only risk that might exist, I suggest, is whether a group that was not necessarily representative of the community as a whole in any respect, might gain control.

There have been instances where the concern expressed by the community was that there was a concerted effort on the part of staff to control the board. I do not think that, frankly, is appropriate. One either is an employee or a member of the board. I might suggest it sounds rather incestuous if the board was composed either of employees or people directly controlled by employees in some way.

Mr. O'Neil: So there are no guidelines at the present time and there are none proposed. I believe there is a review of those who apply for

membership in the Hastings county board. Is that right?

Hon. Mr. Norton: I am not aware of that.

Mr. McClellan: I think they are screened.

Hon. Mr. Norton: They are not screened by me, if that is what you are suggesting.

Mr. McClellan: No, by those who are on the board.

Hon. Mr. Norton: No. I would suggest that in trying to be too rigid in laying down guidelines, one then runs the risk of removing it from the realm of the democratic processes which would apply to that situation. I suppose if there is concern in the community that a particular group or faction may try to do that, it is incumbent upon other members of that community to try to counteract that at the time of the elections.

Mr. O'Neil: Another question in our particular case, and I suppose it has happened in other areas in the province, is that we have gone through two or three directors. Whether or not these people are competent gets into an area I sometimes wonder about, which is, has the ministry any say about the qualifications of a director, of those who are hired? What is the process there?

Hon. Mr. Norton: There are certain qualifications which are expected of directors. The only time the ministry would be consulted is if there were a director the board wished to appoint who did not meet those requirements.

Mr. O'Neil: Is hiring ever done without checking with you? Or do you always have the final say on who is hired?

Hon. Mr. Norton: No, normally we would not have the final say in who is hired.

Mr. O'Neil: So they hire them as they wish and—I just wonder about your comment that—

Hon. Mr. Norton: Unless the individual is not fully qualified, then they might come to the ministry in order to—

Mr. O'Neil: What do you consider as qualified?

Hon. Mr. Norton: It is set out in regulation 17, which says, "The local director of a society shall have successfully completed two years of professional education in social work at a recognized school of social work and have had at least three years' experience as a social work practitioner in child welfare, have educational qualifications that, together with his or her experience in social work, are, in the opinion of the minister, suitable for the position"—that is, as an alternative—"or have held the appointment of local director on the first day of June, 1966." I guess that is just a grandfather clause.

If they did not meet the first criteria of having completed two years of professional education in social work and having had three years of experience in the area of child welfare, they would have to satisfy the ministry they had educational qualifications combined with experience which would be suitable for the position.

2:50 p.m.

Mr. O'Neil: Is there no process where they go through your ministry? If, say, Hastings family and children's services is hiring someone, is it required to check with you? Do you not check these qualifications?

Hon. Mr. Norton: That has not been the case. More recently, in co-operation with the Ontario Association of Children's Aid Societies, there is—not a requirement in the act but a co-operative arrangement whereby we would be consulted in each case of a new director being appointed.

Judge Thomson: I think we have been personally involved in each of the most recent appointments. I have met with the head of the Ontario Association of Children's Aid Societies and we have looked at applicants and talked about them. We have provided them with assistance and have even been involved in helping them to locate persons who might be appropriate for positions.

It is not a formally required thing, other than situations—for example, the recent director in Sarnia needed specific ministerial approval. He had a very extensive background, but not of the type that was in the first part of the section.

I think there has been clear involvement in all recent cases.

Mr. O'Neil: So there is no type of licensing per se, just what you are talking about.

Another problem has arisen in my riding on the child abuse register. How do you find that seems to be working? Are you satisfied with it? Are there any changes anticipated?

Hon. Mr. Norton: On the whole, it is my impression and understanding that it is working. The particular case which I think made up their minds has been probably the most controversial to date. It was the first to go through the formal appeal process with a hearing and an independent hearing officer which, in that instance, did not recommend the removal of the name from the register.

I do not know of any others, at this point, where there has been that kind of complexity.

Mr. O'Neil: It is my fear, and I think it has been expressed many times before, that there is a chance something may go on the child abuse register that should not be there. If the precautions

are taken that should be prior to it going on, possibly some of the things that have happened might be—I wonder if you could express certain safeguards you have incorporated into this so something like that does not happen.

Hon. Mr. Norton: In the first instance, the names which are reported to the registry are supposed to be reported only after confirmation of a case. That does not necessarily mean a criminal conviction, but it does mean it is incumbent upon the society reporting the name to have investigated the case and to have confirmed, on the basis of its investigation, that an incident of abuse did occur.

The safeguard beyond that, assuming a society has discharged that responsibility, is that once a person's name is on the registry, he must be forthwith—I think that is the wording in the legislation—notified of the fact his name is on the register. I believe in that same letter he is advised of his right to appeal.

If he indicates he wishes to appeal, I think the first stage is a review by the director—I was incorrect in that. If he indicates his desire to appeal, a formal review hearing is set up. The practice established is that it is presided over by an independent hearing officer who is outside the ministry, the agency and any of the parties involved. We have had only the one, I think.

Judge Thomson: I think we have had two. We have had one in Thunder Bay and one in the Belleville area.

I might say, Mr. O'Neil, we also sent some guidelines to the agencies and I could send you a copy of those.

As a result of the first year's operation of the registry there are a number of issues that have come up for further clarification and work and we are close to the finalization of the paper to bring forward to the minister, suggesting answers to those so that we can give further direction and guidance to the children's aid societies beyond that which we gave a year or so ago.

Mr. O'Neil: I would be quite interested in receiving that.

Turning to another matter I know we have discussed a couple of times, the Prince Edward Heights establishment. How many children are left in that establishment? Is it about 40, or 44? I think it was approximately that number.

It is my understanding it is your plan to move these children from there at some date. What is the policy of the ministry? Is it not to have mixed adults and children in a place like that? Gradually, do you have it all adults or all children? Could you enlarge on that?

Mr. Carman: The rated bed capacity of

Prince Edward Heights in Picton is 44 beds. There were 37 children in there as of April 1.

It would be inaccurate to say that the policy of the ministry is to have institutions that are uniquely identified as being either for adults or children, although at the present time the Midwestern Regional Centre in Palmerston is entirely for children; the centre in London, the CPRI, is entirely for children; Surrey Place Centre deals almost entirely with children. There are other centres that are almost entirely adult centres.

There are a fairly large number of children in our big centres: Huronia Regional Centre, Orillia; Rideau Regional Centre, Smiths Falls; and Southwestern Regional Centre, Cedar Springs. The change in these centres to become what we view as the long-range role of a regional centre is going to be some time off because of the necessity of not just moving children out of them, but moving adults out of them as well.

I think Judge Thomson could explain in greater detail the policy of the division, which is to have no children in any of the facilities for long-term care. In the longer run, even centres such as Palmerston and CPRI will probably be regional resource centres which would be dealing with children for short periods of time where they were getting special programs, or special handicaps were being dealt with, rather than having them as centres where the children were in residence year after year.

The long-term direction is to change the characteristics of all the facilities, both for adults and children, to reduce the population as much as is possible so that in the long-term objective, the ideal world if one could ever reach there, there would actually be no long-term-stay people in the facilities at all.

More realistically, I think the children will go first and we will be left with a certain number of adults in those facilities for two reasons. One is that the very specialized services some adults require can only be found within a facility where one can attract enough staff to provide the specialized services.

The second reason why there will be some adults remaining in the facilities is some of the adult mentally retarded view the facility as a home. In particular, the people who are now senior citizens and who have resided in the older facilities for 35 or 40 years really do not recognize they are in an institution. For them that has been home. They have been there all their lives.

Some of them actually have very extensive gardens almost adjacent to their bed area. For them, it is very much a location in which they

are totally comfortable and it would be inappropriate to achieve a deinstitutionalization objective by moving them to the community.

3 p.m.

In the overview our objective will be to have a logical movement of people to the community, not necessarily to develop institutions that are clearly adult or children. The three big facilities, in particular, deal quite well with both adult and child populations. We will probably find all three of them representing both groups for some time, until a very large number of community residences can be developed.

Mr. O'Neil: So there is no timetable for that particular establishment to have the children moved, no future plans?

Hon. Mr. Norton: There is no rigid timetable. We are moving as quickly as we can as community residences are established. There is the requirement that in any new community residence, such as group homes, et cetera, which we fund, half of the spaces will be for people who were previously resident in an institutional setting and half for people who are living in the community but are in need of alternative accommodation.

It is important to emphasize that we discourage the admission of children to institutional settings by providing other alternatives, such as support to the family to assist them to keep the child in the family setting from the beginning or, where that is not possible, the second choice is a foster-care setting for the child, which is preferred even to a group home setting. We are trying to restrict the group homes for children just to the profoundly handicapped children, not for those children who could function in a family setting.

Mr. O'Neil: Is there any record on this particular place of what the numbers were over the last, say, four or five years? You say it has dropped down now to 37. Maybe somebody could get that for me.

Mr. Carman: Yes, we will get that.

Mr. O'Neil: One final question: I notice in looking through the estimates that there is reference to Indian reservations. Could someone give us a little background material on the work you are doing there—where it stands now and future plans?

Judge Thomson: The major activity we are involved in right now is the child welfare prevention project on reserves. We have set aside some extra resources to allow native persons to be hired on reserves through a program administered jointly by the local band council and the children's aid society that deals

with that area. Those persons are hired to live and work on the reserves in order to deal with matters there and to stop the flow of children off the reserve and into outside residential programs which, in many cases, are non-native programs.

We started that program in the Rainy River-Kenora area in the northwestern part of the province. We also have it in Kapuskasing in the northeast.

Where it has progressed the furthest is in the Rainy River area. By hiring persons from the reserve, native persons with high credibility in the community, it has been possible to find appropriate solutions by means of valuable and appropriate resources for the family and child on the reserve, and answers which have not required removing children from the reserve.

In the Kenora area it is just beginning. In Whitedog and Grassy Narrows, the two we have started, there are between 60 and 70 children in care at this very moment. So there is a substantial amount of work to be done, including the development of onreserve resources, such as foster homes. We have just licensed a group home on a reserve up there, and I think others will be licensed, so care can be provided right there on the reserve.

About a month and a half ago, we announced an additional set of resources available for more reserves, not just in the north, but also in the southeast and southwest, where there are a number of reserves.

In a number of places, the agency is now sitting down with the band council. We are not prepared to fund something until both the band council and the agency are supporting it, are happy with it and agree that it is appropriate. In some cases—Kenora, for example—the band itself does the hiring. The funds flow through the band to the person who is providing the service.

Those are some of the essential features that have to exist before we will go with it. It is not just having the agency come in with a plan, and it is not the band working alone.

We are hoping to start a number of additional programs in the rest of this year and into next year and some more the following year. It is growing slowly, with a number of additional reserves each year.

Mr. O'Neil: In those cases you have started, the agency would cover a large area. Would the agency look after the reserve, or do you have some sort of setup where you deal with the reserves through your own group?

Judge Thomson: No. Let us take the Rainy River district as an example. There is an agency that deals with that whole district. Chief Joseph

Big George has been hired as the child welfare worker for the reserve of which he is the chief.

The money comes down through the children's aid society to the reserve and he is paid. Nominally, he is an employee of that children's aid society. He deals with all the child welfare matters that come up on that reserve. That arrangement has existed for about a year, and I don't think it has been necessary to remove any children from the reserve in that period of time.

For instance, at the time of the wild rice harvest, there has been a tendency in the past for children to be brought into care because there has been no one there to look after the children on the reserve. However, Chief Joseph Big George has been able to develop some way on the reserve, perhaps using older members of the reserve community, to look after those children while the others are off with the harvest. He has been able to do that in each case.

Mr. O'Neil: What other types of programs are you initiating on reserves that you could tell us about?

Judge Thomson: We have developed some group home correction programs for juvenile offenders on reserves that have been administered by the band itself.

I would say the bulk of our other services are children's services that are provided off the reserve: that is, child welfare, children's mental health services or correction services. They may be provided very close to the reserve, but they are not on it.

One service I did not mention is day care. There are a number of day care programs which are administered by the band councils themselves with money that flows directly to them.

Mr. Sweeney: Mr. Minister, I would like to get an update on what is happening at the Sunbeam Home for mentally retarded children in Kitchener, which has been an ongoing problem for close to two years. There are two essential difficulties there.

This facility originally housed young children who were mentally retarded. The space available for them was suitable because they were young children. Most of these people are now young adults and the home is simply not suitable for them in terms of space and in terms of the services needed by them.

The expansion plans that were requested were not meant to permit bringing more children into care, but simply to allow the facility and the staff to provide service, in a reasonable manner, for those who are already there. I have been to the home a number of times and it is literally impossible for the staff to be doing what

they should be doing. I can only suggest that if you want to get a sense of that, you should go there.

3:10 p.m.

For example, there are so many children in some spaces that there is no room for beds; all they could do was to put mattresses on the floor. There is an ongoing program to try to get as many of these children as possible at least sitting up, if not standing, but there are places where you cannot do that because there is not enough room for situp chair facilities.

To use a mild phrase, there are a number of accidents happening to children simply because there are too many of them together, or the staff is not able to cope with them. I have had two parents call me in the last couple of months where they had for short periods of time taken their children home because when they went to visit them they were covered with bites.

Hon. Mr. Norton: Flea bites?

Mr. Sweeney: No. They are cases of children biting children. In one case, a finger was nearly bitten completely off; in another, a piece of an ear was actually bitten right off. There are other, less serious, instances as well. No one can blame the children for this behaviour. As a matter of fact, one staff member told me that the biting is often a demonstration of affection, but this is what they are coping with there.

The point I am trying to make is that this has been going on and on. There has been study after study; there has been proposal after proposal. We were fortunate last spring to be able to bring a number of parents to meet with Judge Thomson and to make an oral presentation. At that time they got the impression that the thing was going to get under way.

I am really at a dead end in trying to respond to the parents, the staff and the board. I can no longer go back and say, "They are going to do another review or another study," or, "They are going to try this or they are going to try that," because quite frankly there is no visible evidence of anything happening. It is perceived in our community as just one more delay.

I would also point out to you, Mr. Minister, that although the facility itself is in our community, the children come from several places around the province. As a matter of fact, I believe Mr. O'Neil sent you a letter from a parent in his riding. There are some parents living in the Windsor-Sarnia area. So it is just not serving the Kitchener community, it is serving a large area of the province.

Another problem is staffing. This, of course, involves the whole question of funding. Part of

the reason why some of the children are not getting the care they deserve is that at certain times of the day there are very few staff people available. The problem has been magnified by the fact that some good people have thrown up their hands and have left because of the staff shortage. There have been some internal problems with the facility, but I am not going to go into those.

It is one of those situations—I guess it is not the only one—that just cannot go on much longer. It is becoming serious. It is more than just a matter of inconvenience; it is a case of harm having been done and there is the possibility of future harm.

There have been many cases of children falling over and lying on the floor for five or six minutes at a time. Fortunately there was nothing serious in any of these cases. There have been bumps on the head, split lips and cut tongues, all the kinds of things kids have. But with these children, who in many cases are totally incapable of helping themselves, it can become serious. There is this multiplying factor.

What are you doing?

Hon. Mr. Norton: We will divide the responsibility on this one between two. We will give you a double-barrelled response.

Mr. Sweeney: All I want is the solution.

Mr. Carman: Mr. Sweeney, you will be delighted to know that at the conclusion of estimates today, George Thomson and I will be phoning the administrator, Mrs. Patricia Henderson, to advise her on some actual financial data that have now been worked out. I will summarize briefly what we will tell her, but first I will indicate why the problem is so complex and why it has taken so long to resolve.

The Sunbeam Home was affected by an arbitrated settlement which, although it came on quite recently in budgetary times, had an impact going back to 1978-79. However, the primary impact has been on the 1979-80 budget. Because of this situation we agreed to do a review of the actual financial situation of the Sunbeam Home.

Unfortunately, we soon found the review was complicated by the fact that during 1979-80 the home had increased the number of residents it was caring for beyond its rated bed capacity and had done that without the approval of the minister. Part of the financial problem they found themselves faced with in 1979-80 was a result of taking on extra staff, without the authorization of the ministry, to handle that number of people.

The rated bed capacity is 126; I understand

that at one point they had 136 children in the facility.

Mr. Sweeney: It went to 136?

Mr. Carman: Yes, it was at that number for a protracted period of time in 1979-80.

We had to sort out the legitimate concerns that would have an impact on any agency as a result of an arbitrated settlement from those that were self-imposed by the decision of the board to go above their rated bed capacity. That work has now been done.

There is another complicating factor in that the board entered into a negotiated settlement, effective April 1 this year, which also had quite an impact because of the decision to reduce the number of hours staff were required to work for the same take-home pay. This, in effect, increased the hourly rate without any increase in productivity. This has had an impact on their budgetary situation.

Notwithstanding all that, a calculation has now been done of the entitlement of the Sunbeam Home to certain moneys for both 1979-80 and 1980-81, and that will be communicated to them this evening. In my view, this will go a long way towards the resolution of the problems they are faced with, at least in the 1980-81 year. It will also make some contribution to the deficit they incurred last year.

That, in a nutshell and without getting into the actual numbers themselves, gives you some indication that the worst of the financial problem can be resolved.

The reason we have been having trouble on the program side—the question of expansion or with the counterproposals of the ministry—is that this situation has been of so much concern to the board that, until this has been resolved, they have not been able to deal with the other side. Perhaps George could deal with that side of it.

Judge Thomson: I met with the board about three weeks ago, Mr. Sweeney, and I have been waiting for a response to the actual proposal we gave to them about the changes we are prepared to make, the development of community beds and so on. When I met with them, I discovered that their concerns about cash flow and deficits had made it very difficult for them to move forward on the proposal we had made to them.

You will remember that last spring they asked for a sum of money to enable them to expand the facility in size—not necessarily in terms of numbers, just in size. We had a group make an analysis of the children in the facility and they reached the conclusion that a number of them, with proper community programming in the area and in places like Windsor, where some of

the children come from, could be brought out of the facility. There was some dispute about that so we sent a second person in.

We then told the board we would be prepared to provide them with money for some capital improvements, because there are some things that need to be done, regardless of the number of children being served. Secondly, we said we would make sure that some of the children could go into the beds in the new programs we were developing in the community. Thirdly, we told them we were prepared to provide them with the dollars to develop some community residences to which children could move. We said we would add the cost of those beds so they could develop them.

3:20 p.m.

We sent that proposal to them about a month before the meeting we had with the parents and it took some time for them to get back to me. Their proposal, which was received about a month ago, suggested instead that, for about \$9 million, they should develop a much broader program. They wanted to take over the local YMCA and run it as a resource centre, and have a large number of community residences and so on. This was very different from what we had said we wanted to do and could do.

That is when the board came in to meet with me. They did not want to meet until they had pulled all that together and had received an answer on the financial side.

I told them it was not going to be possible to go with their larger proposal for that many millions of dollars and that it was crucial to move very quickly with the proposal we had made in the spring because otherwise we might have to get someone else to set up those beds for us.

Mr. Sweeney: If you had accepted the \$1.5 million to \$2 million they wanted in the first place—

Judge Thomson: But that would have kept 126 children in institutional care. Our goal was to get that down to about 80 and to put the money, instead, into the community residences. We would really have been expanding our resources on the institutional side when that money could have gone into community residences. That is why we held off going with their original proposal.

When I met with them two or three weeks ago, they said, "If you can tell us where we stand on our funding problem, just to maintain service, then we feel we will be able to get going with this other proposal." I felt at that meeting they were prepared to go with what we had proposed in

the spring and I am hoping that is where we now are, once they hear the message about the money to help them with their deficit and so on.

Mr. Sweeney: Judge Thomson, one of the problems at the time of our last meeting was that the time line seemed never ending; that is, the time it would take to put alternative facilities in place to provide a service that was at least equivalent to what it was hoped could be provided at Sunbeam itself.

Do you have any firm plans, or any reason to believe that if we start tomorrow, within three months, four months, whatever it may be, we will have one, two, three or four in place? You will remember there was one facility that could have been purchased. It was available and it was suitable. I believe it could have handled 10 or 12 kids. Now it is gone, as far as I know.

Judge Thomson: It has gone to a different MR program, I understand.

There are two stages to this. We are developing those community residences that have been approved and are now about to be opened, and we think that between now and the end of the year we can get more than 10 of the children out and into those community residences. There will be 60 beds—I think I am right about that—opening in the southwest between now and the end of this financial year, and 30 of them will be for children in institutions.

Some of those 30 can be used to get children out between now and the end of March. It will be a longer period of time before those other beds get on board; they will not open until some time next year. That is why we need to make a decision right now on whether they open them or someone else does.

We do have to get them open some time early next year; I agree with you on that. All they have to do is say, "Let's go," and they can start to develop those programs. But some children can move out between now and March into the beds that are already opened.

Mr. Sweeney: Another phase of this, as you are well aware, is the provision of short-term care for parents who are keeping their retarded children at home but who need a couple of days a month just to—

Judge Thomson: Parent relief, they call it.

Mr. Sweeney: Parent relief, yes. Concern was expressed to me that if you provide only for moving out and not for any additional facilities in the home itself the possibility to continue and even to expand the program of parent relief is going to be diminished.

Coming back to the point the minister made earlier, surely the whole thrust of the ministry is

to use every possible encouragement for parents to keep their own children at home. From talking to some of these parents, I gathered that is a very strong incentive. "If we can get this relief from time to time, a day a week, a couple of days a month or something like that, we are prepared to do it."

Judge Thomson: I agree with that totally. It is my understanding that Sunbeam has been providing a good relief program. Since Pat Henderson came on board, I think it has been expanding.

Mr. Sweeney: Yes.

Judge Thomson: Our plan was not to have any of that come to an end. In fact, we may have some separate resources for parent relief and be able to expand that. If we can reduce the number of children in terms of long-term residence, then we will not have to have this large capital addition or expansion in order to deal with 126 children. But it may not go all the way down to the 80 or 85 we were talking about if we have to open additional parent relief beds.

I hope that nothing we do would take away their ability to provide parent relief, because I agree with you, that may be the most valuable service being provided. I don't think anything we proposed to them would require them to cut back on the parent-relief program.

Mr. Sweeney: I understand from their expression of concern that what was left behind at Sunbeam, even when all these other alternatives were put in place, would be so tight there would be no room for parent relief.

Judge Thomson: I have to be honest and say I suppose what they would ideally like us to do is to develop those community residences and not reduce at all in terms of the level of funding resources, which would enable what would have to be a fairly massive expansion of parent relief. It may not be possible for us to do that, but we do not have any plan to do anything that would make them cut back on their parent-relief program.

Mr. Carman: Could I make a comment here? In the first meeting I had with the board at Sunbeam, the rationale for the fairly major capital expansion was to allow the introduction of a set of rooms with two beds only, a kind of a semi-private accommodation. It was thought this would be more suitable as parental relief facilities; that it would be more like the situation the child would have in his own home—his own room as it were.

I am not positive, but I think they had proposed either 24 or 36 beds of that type for that two-floor arrangement. However, on fur-

ther discussions with Sunbeam there was no indication that the demand for parent-relief beds would come anywhere near either of those figures. It was clear that they would start to use this preferred accommodation, if I can call it that, for children in the facility.

The question uppermost in our minds was whether or not that very expensive type of accommodation should be provided, even for parent relief. I think the program people felt that children coming into the facility would not necessarily find it unusual to be in a room with a large number of other children. After all, that happens when one goes to camp, and one regards that as a kind of an interesting experience, not some kind of deprivation.

It has still not been resolved to what extent parental relief is to be provided on some kind of a semi-private or private basis as opposed to regular ward care. Clearly the level of parental relief in the Kitchener-Waterloo area, up to the present time, is far less than even the lower number of 24 beds. I understand it runs to something less than six beds at any one time.

Judge Thomson: Perhaps one last thing, Mr. Sweeney: I have not been able to get back to the parents while waiting for this to be resolved at the board level, except for some communication shortly afterwards, and then something over the summer relating to another matter, but I think that within the next week I can give them a summary of where things stand.

It was my plan to write back to them personally to advise them where things were, as of the information we are giving to the board tonight.

Mr. Sweeney: I can understand that not all of the parents would be aware of the ramifications of the detailed explanation you just gave me.

Judge Thomson: That is right.

Mr. Sweeney: Their obvious perception is, "Nothing is happening."

I have one last question with reference to that. I believe it is applicable not just to this one, but to several other facilities.

The amount of money the parents have been asked to contribute—I think it is this \$90 fee—initially was described as money that would be used to upgrade the service provided to the children themselves. Was that a valid interpretation and, if so, to what extent is that happening?

3:30 p.m.

Judge Thomson: They have not been asked to contribute yet. The only area where they are now contributing is in relation to children in community residences. Once that starts, the total amount of money they contribute, plus additional funds in the millions of dollars that

would be added on, will go towards programming for the children.

We have had discussions with the Ontario Association for the Mentally Retarded and others about where the money we get, as a result of the special needs agreement, should go. A portion will go towards the agreements themselves to provide additional service for the children, plus the total amount of the parental contributions. They have also asked, and we agree, that some of it go to areas like prevention to try to reduce the need for children to be in institutions.

But, yes, the full amount of the money will go towards implementing those special needs agreements, though not necessarily towards the very child for whom the money is contributed. It may be that one child will need more than that, while for another child the service provided regularly in the program may be sufficient. That amount of money will be spent in addition to the extra money we get through the special needs agreements.

Mr. Sweeney: But in facilities like Sunbeam Home that has not yet started.

Judge Thomson: It has not yet started. There will be an extensive training program with the parents, sessions where they will be called in to have an opportunity to learn about special needs agreements and so on. That will all take place between now and April 1, which we think is about the time we would start the plan with respect to facilities.

Mr. Sweeney: I have a question with respect to the child-abuse procedures put in place under the changes in the Child Welfare Act. As the minister will recall, when we were debating that legislation one of the contentious areas was the reporting mechanism, particularly on the part of various professionals, teachers, lawyers, et cetera.

Could I have an update as to how that is working, where the snags are, what problems have occurred? I have no general complaints. I am just wondering how the thing is proceeding, because we spent a considerable amount of time discussing it.

Judge Thomson: We have an interministerial committee on child abuse which has been monitoring how this has been working and the amount of training going on with other professions and so on. In general, I think at this point it has gone very well in the educational stream. The amount of training and work with teachers has been substantial and it has been good in a number of other areas. In fact, the local board in Toronto is working with all the

other people who work within a school, and additional teachers, to help them understand child abuse and become aware of the need to report it.

There have been a few snags in the health area, particularly around the issue of how the reporting law relates to the Mental Health Act, section 26(a), and the confidentiality of the relationship between doctor and patient. The Ontario Medical Association has been looking at what the doctor reports; for example, how much he reports. At one point, there was a concern that all one was allowed to report was the name of the person and nothing else. We have had some fairly extensive discussions with the OMA.

Then there was a referral to the College of Physicians and Surgeons of Ontario on the interpretation to be placed on the reporting law in relation to confidentiality provisions. It has taken the somewhat in-between position that a doctor who is reporting—and there must be an obligation to report—should report enough so the person or agency receiving it has some idea of when there is a reasonable suspicion. If one gave just a name, they would not have any idea what they were going out to look at.

I think that has resolved it, although there are going to be further discussions with the OMA and it is actually going to send some examples to doctors showing them the kind of information that should be reported in individual cases.

We have been involved in discussions with other groups. For example—

Mr. Sweeney: What about the legal profession?

Judge Thomson: As you remember, with the legal profession there was an exclusion clause in the section which maintained the lawyer-client privilege and that removes the requirement to report in those situations. You will remember that was an amendment introduced at the committee level.

Mr. Sweeney: Yes, I remember that.

Judge Thomson: There have been discussions with the Ontario Dental Association as to when there would be a situation such that a dentist should be saying, "This child's dental condition is so bad and has been neglected so much this is almost close to an abuse situation." We do not have a resolution of that as yet.

In general, awareness of the law is more substantial than a year ago. I think the education stream has moved much faster than the rest in terms of making teachers and others aware of what the law means.

Mr. Sweeney: I recall when we were debating the involvement of lawyers there was a specific

nature of confidentiality. I did not recall it was a total, blanket exemption. Am I incorrect?

Judge Thomson: I think that is right. The section is worded in such a way it cannot abrogate the lawyer-client privilege, which only arises when someone goes to a lawyer, retains that lawyer to act for him and then provides information as part of that relationship. That is the only thing protected.

A lawyer who, in the other course of duty, comes across an abuse situation would be under an obligation to report it. I am not sure, though, that I can tell you the extent to which that is happening.

Mr. Sweeney: I have two supplementary questions. The first is, are the agencies able to do the follow-up work in the short time line that was envisioned or is this creating a backlog?

Judge Thomson: I think generally, yes. The agencies sometimes express concern whether the work they are doing to follow up in those cases has an impact on other work they are doing, but I do not think we have been hearing from them that they have not been able to respond in the way the child-abuse standards that have been set out would ask them to. I think, in general, they have done well in that.

Mr. Sweeney: I gather you have not received any significant complaints about a report that went unresolved or unserved—uninvestigated, I guess, is the word I am looking for—for any lengthy period of time. I am not suggesting that is the case.

Judge Thomson: I do not think I have. I can think of one situation where, for other reasons, there was a delay in a case relating to a particular agency that was resolved. That was one incident over the past year and a bit. Other than that, I have not heard of individual cases where an agency is saying, "We just cannot respond to these cases." I think they respond quickly and well.

Mr. Sweeney: My final supplementary is on the hope that mandated reporting would catch situations early enough so that something more serious would not happen later on. I appreciate it has not been in place that long, but do you have any evidence to suggest it is producing that result?

Judge Thomson: I think so, Mr. Sweeney. The problem is to try to find the balance where one catches cases at an early stage so one does not have tragedies that were not discovered because people did not report in time while, at the same time, not going to the other extreme where there is a huge host of frivolous and invalid reports which so swamp agencies that

just in following them up they have no time to provide service where there are real cases.

From what we can see so far that balance has been found. There has not been a swamping of agencies and, therefore, a passing-on by all professionals of good decision-making on their part. Yet all the agencies are reporting they are hearing about cases sooner and, in most cases, in a much better form than before. There is still some distance to go, but I think the indications are it is having that impact.

Mr. Sweeney: Tied in with the same thing, is there evidence to show the frequency of more serious cases is declining? I realize the definition of "serious" and "more serious" is a difficult one to pin down.

Judge Thomson: I find that hard to answer because, first of all, I think 10 years ago serious cases were occurring that people did not know about, so it is hard to know whether or not, if there is a reduction in the number of serious cases, that is because they are now getting to their attention.

I think there has been some real attitudinal change over the last two or three years. That is what is really going to affect the number of cases which reach that stage. I do not know whether that is compensated by the fact that serious cases, even when they reach the serious stage, will not be known about.

3:40 p.m.

There have not been the same number of deaths due to child abuse, but that was a small number before. It has declined somewhat. I am not sure I can give you a clear answer to that.

There is also the question whether more difficult economic situations increase the amount of abuse and so on. In general, I really do not know the extent to which serious cases have been reduced in number. When they do occur, we are much more aware of them than we were before and, in general, I think agencies are hearing at an earlier stage than they did before.

Mr. Sweeney: Mr. Minister, perhaps it is obvious, but what I am suggesting is it would seem to me it is incumbent upon a ministry, when it puts certain legislative procedures in place, with at least hoped-for goals, to have some way of checking, from time to time, whether it is producing the results.

If it is, hallelujah! If it is not, you move back and try something else. I am fully aware of the human limitations of being exact predictors of the success of any procedure. I accept that. But there has to be a mechanism in place to evaluate the effectiveness of what you are trying to do to see whether it is working.

Hon. Mr. Norton: We could presumably indicate, on the basis of reported cases, that we may not have had any cases as serious as the Popen or Ellis cases, or any of those in the recent past. The problem in human services is we might say that to you now and I might go back to my office in an hour's time to discover there has been another one.

It is impossible to predict. We hope the reporting procedures, plus the guidelines for handling the cases, plus the training work that has gone on with people working in agencies with families where there has been abuse, that all of these things combined already have reduced and, I hope, will continue to reduce the likelihood of serious cases.

But to predict with certainty in the area of human services is awfully difficult at every step. The people who are making the difficult and critical decisions on the front line, even with training and the best of intentions in acting in the best interests of the child, may make what in the circumstances seems an appropriate decision on the basis of their ability to predict what the family might do next and discover that, in retrospect, it may not have been the best decision.

There is no way one can predict precisely what someone is going to do or be sure that one is making the absolutely correct decision when one gets the case. I do not know how really —

Mr. Sweeney: At what point will this have been in place long enough for you to be able to start making some judgement calls as to whether it is working as you planned it to?

Judge Thomson: I think some preliminary conclusions can be drawn already. In another year or two one would be able to say a bit more definitely.

To give you an example, there has been a reduction in the number of cases reported to the registry and one might use that. Perhaps there is some justification as an indication that the number of cases has been reduced. At the same time, we introduced some clear guidelines as to how verified a case must be before one puts someone's name on the registry. It may be that some of that reduction is due to the fact we are being much more clear about the work one must do before one is sure one has the kind of verified case that goes on the register.

It takes a little bit longer of seeing that number stay at the level it is or continue to go down before one can give you definite answers, but I think you are quite right that after a period of time one should be able to give them.

Hon. Mr. Norton: Perhaps we are running the

risk of being a little repetitious. Even with a fair amount of statistical information, we have to recognize the degree of sophistication of the social sciences these days is such that it is still risky to make firm predictions on the basis even of recent experience.

Using an example from a slightly different area, with the introduction of the seatbelt legislation in the province, for the first while there was a marked reduction in certain kinds of accidents and certain kinds of injuries. Then we went through that period—I am not sure what the experience is at the moment—early this year, or was it a year ago, where the data just went sort of wild again.

Mr. Sweeney: Because it's not being enforced.

Hon. Mr. Norton: That may be one conclusion, but I think it is also the problem of trying to predict human behaviour. We deceive ourselves sometimes if we think we really have the degree of sophistication so we can predict accurately. We can tell you what our experience is, what we think is happening, but we are not prophetic.

Mr. McClellan: Mr. Chairman, I would like to go back for a moment to the children's mental health facilities on vote 2903, item 3, because I do not understand the budget allocation for this year and I would like to get it straight in my own mind.

I had understood that the budget increase for children's mental health centres was eight per cent. Is that wrong?

Hon. Mr. Norton: I think that was the economic adjustment.

Mr. McClellan: I am wrong, or am I right?

Judge Thomson: Can you tell me what page we are on?

Mr. McClellan: Yes, page 132. I am talking about the increase that will be going to the children's mental health centres, as opposed to—

Hon. Mr. Norton: To other children's mental health services.

Judge Thomson: That's eight per cent.

Mr. McClellan: That's eight per cent. So that is below the rate of inflation.

Secondly, can I ask you within that group, are there some new facilities, some new children's mental health centres that are being funded for the first time?

Judge Thomson: Yes. For example, the program in Algoma. I think the francophone one is a full-year cost now, one in Cornwall I think, is now a full-year cost for the first time. There are some of the other programs in the north, our mental health programs, and I can

give you a breakdown of those. Also, the prevention programs we have funded are now going to be full-year prevention programs and that is included in there as well.

Mr. McClellan: So when we say eight per cent, are we actually saying less than eight per cent?

Hon. Mr. Norton: No.

Mr. McClellan: We are saying eight per cent for the individual programs?

Hon. Mr. Norton: For the established programs, plus the new ones.

Mr. McClellan: Are there any particular stringencies being applied this year to the larger centres, the ones with budgets over \$1 million?

Hon. Mr. Norton: No.

Mr. McClellan: They went to zero budget increase last year, is that correct?

Hon. Mr. Norton: Yes.

Mr. McClellan: And there are not going to be adjustments this year?

Hon. Mr. Norton: They are being treated on the same basis as the others.

Mr. McClellan: They will get eight per cent this year?

Hon. Mr. Norton: That is correct.

Mr. McClellan: You do not anticipate when they were on zero budget increase, followed by a second year of increases below the rate of inflation, it is going to force the closure of additional beds?

Hon. Mr. Norton: I don't know that we can answer that absolutely. We trust it will not, but I don't know that we can answer that absolutely.

Mr. McClellan: But does it not seem probable? What I do not understand when you budget in these kinds of ways—I can understand when you are saying "Okay, look, it is our policy to take \$2.2 million out of the system and put it somewhere else." At least everybody understands what you are doing; at least there is an honesty about it. Then you can say, "I agree with this or I disagree with this, and these are the consequences," and at least it is a rational process.

3:50 p.m.

I do not understand a process that says in an arbitrary way: "This year you are going to get a zero increase. Next year you are going to get an increase below the level of inflation and we will just have to wait and see what the consequences are. We will let the chips fall as they may. Maybe some beds will close. Maybe some staff will be forced out of the profession, or maybe not."

I do not see this as rational planning and I do not understand why you persist in doing it. It is

inevitable that there will be cutbacks of service if costs go up so much faster than the purchasing power of a social service dollar.

Hon. Mr. Norton: I do not know how we can predict accurately whether or not there might be some alteration in the number of beds. This year, these agencies are being treated on the same basis as other agencies in terms of the economic adjustment. They realize it is tight and it is difficult. I suppose the alternative kinds of choices we would have to make would be no expansion, or reductions in programs in other areas, because we do have to work within a finite allocation of resources.

Mr. McClellan: Yes, but surely you have had enough experience now. I just characterize this; it is not just crisis planning, it is crisis generation. Because each time you do that you end up with a crisis at some point down the road.

Last year it was within the children's aid societies and the whole thing just blew sky high. You had to make a series of crisis decisions in response to the effects of a couple of years of arbitrary budget ceilings. So you end up with your own financial planning skewed all to hell anyway because you have to make those adjustments.

You end up provoking crises within first this sector, then that sector, then another sector. The crises are, I think, inevitable but also in a sense unpredictable. I would think from your own self interest from a management perspective you would be wanting to avoid these kinds of crisis situations. You would want at least to be in fairly firm control over what is happening within the system in being able to forecast financial needs, rather than having to respond to a series of crises.

This year, obviously—and the estimates reflect it—there is not the kind of crisis atmosphere in the children's services division we had last year. I can tell you we will have it next year, if the historical patterns have any consistency and validity and I think they do.

Again, I just do not understand why you do this kind of stuff because, in a sense, it amounts to firing slow-motion bullets into your own head. It takes a year or two for the impact.

Hon. Mr. Norton: Now I know you do write your own press releases.

Mr. McClellan: I should have saved that one for a press release.

You obviously do not have any response.

Hon. Mr. Norton: I am not sure what you had in mind when you were referring to our having to respond to crises in the children's aid societies last year. We did not change any of our deci-

sions that I can think of last year with respect to children's aid societies.

In a large part the crises perceived last year with the children's aid societies were generated rather by the difficulty in communicating to societies what was going on than in our reacting to specific crises and altering decisions we had made.

Mr. McClellan: Can I just make a suggestion at this point? Leaving aside differences of perception, I think it is accurate to say that last year your budget process broke down. The manifestation of that was that 31, over half of the societies, found it necessary to go into a budget review process.

Mr. Barnes: There were 26.

Mr. McClellan: How many? There were 26? Well, there were 31 at one point; some of them got resolved.

But that still indicates a breakdown of your budget process and an enormous expenditure of time, effort and energy by you, by the societies, by the association and all of the actors who have to get involved in that kind of a scramble. And I think that is the context for the discussion.

Hon. Mr. Norton: I am not sure whether there—

Mr. Sweeney: There was no problem?

Hon. Mr. Norton: I am not saying there wasn't a problem. Certainly my life and the life of everyone in the ministry and everyone in the agencies would have been much more comfortable, I suppose.

Mr. McClellan: There was absolutely no precedent for what happened last year.

Hon. Mr. Norton: But also, I think, you described it as a breakdown of the process. It also might indicate a desire on the part of a number of societies and municipalities to test the process. Because not all of those appeals were initiated by children's aid societies. In some cases they were initiated by municipalities that were objecting because they felt we were being too generous with the societies.

In a couple of cases I think, the appeals were generated by both. On the one hand, the municipality thinking we were going too far and on the other the society thinking we were not going far enough.

But bringing it into the context of this year with societies, one might say that there are, from time to time, crises that develop. For example, there are some that have requested and have either had, or are undergoing, what we refer to as a special circumstances review, where if, on the basis of the new budgeting

approach, they begin to project a deficit by year end, we urge them to immediately let us know and let us sit down with them to examine what the problems are.

In some cases, the results of those reviews, which I am sure are crises for the societies at the time, have been quite dramatic. I suppose one of the most dramatic was where they were projecting a \$160,000 deficit, I think it was, by year end. As a result of our staff sitting down with them and examining their situation, making some administrative suggestions, they brought that to the point where from a \$160,000 deficit they were projecting a \$25,000 deficit. And in fact, as a result of the plans they worked out, that would be eliminated by year end.

So there are things like that where one could say, yes, they are crises. But I think the process now in place is—I hope—working on a co-operative basis in such a way that there is not the sense of crisis there was last year.

Mr. McClellan: I still perceive what happened last year as a crisis that had some beneficial effects. You may dispute that, but I see improvements in the budget situation because of the crisis and the uproar that ensued. And secondly, the whole budget system itself has been scrapped and replaced with something we would hope is a little better.

Hon. Mr. Norton: But that was well on in the planning, in fact probably before those crises.

Mr. McClellan: You are planning for everything under the sun. You can always pull out a plan.

Hon. Mr. Norton: Are you suggesting that we are well prepared for every eventuality? Is that what you are saying?

Mr. Sweeney: It is called the envelope system.

Mr. McClellan: On my bookshelf alone there is a solution to every problem printed by the ministry and some of them are implemented.

4 p.m.

Hon. Mr. Norton: The only point I was trying to make is that I do not think there is a cause-and-effect relationship, as you suggest, between the experience last year and the new budgeting approach.

Mr. McClellan: I am glad to hear that. I was afraid for a minute the political process was working.

Hon. Mr. Norton: We are just about one step ahead.

Mr. McClellan: I will just leave it at that then, because you will look at the expenditure trend for community mental health facilities and you will see three consecutive years of subinflation

spending in terms of percentage increases. We will have the crisis eventually and then you will have to respond to it. It would make more sense if your planning was sufficiently rational to start with to avoid these self-generated crises.

Let me ask another question. On page 131 there is a listing; 67 residential and nonresidential centres provide services under this item. First, what is the breakdown between residential and nonresidential? I suppose it is not possible to make that absolute characterization.

Judge Thomson: I do not think that is easily made.

Mr. McClellan: Yes, I understand that.

Judge Thomson: Most mental health centres do both. Even a program that is almost totally residential usually provides some nonresidential services.

Mr. McClellan: How many of the budgets of the 67 facilities for 1980-81 have been approved at this point?

Mr. Barnes: Community mental health centres?

Mr. McClellan: Yes.

Mr. Barnes: I don't know. The majority.

Judge Thomson: I do not think we know exactly. We would have to check with each of the regions and get back to you on that.

Mr. McClellan: You would have to check with them.

Judge Thomson: No, with the regions. The area officers are doing the negotiating.

Mr. McClellan: No one knows?

Judge Thomson: As of where we are right now, I know there are some that are not and some that are, but I don't know the exact number.

Mr. McClellan: Maybe you could have that for us by Monday.

Mr. Barnes: I'll have it by tomorrow, but I'll settle for Monday.

Mr. McClellan: Do you think it is a majority?

Mr. Barnes: I do not know, but I will find out.

Mr. McClellan: Okay.

A third question. There are increasingly frequent rumours that the ministry is intending to amalgamate the adult services division and the children's services division. Is that intended? Is that in the realm of contemplation?

Mr. Sweeney: After having taken five years to split them apart.

Mr. McClellan: That would be the historical pattern, John. Once they blow it all apart, then they try to put it back together and then in 10 years they will take it all apart again.

Mr. Blundy: There will have to be more studies and reports and work sessions before they do that.

Hon. Mr. Norton: That rumour is based, I think, in large part upon a perception that arose, and I am not sure where, that the objective of the next stage or next phase of reorganization of the ministry was an evolution from what we have been building on.

There has been no final decision on any aspect of that at this point. I would hope that the next phase—

Mr. Sweeney: Back to the bench, George.

Hon. Mr. Norton: No. That's a rumour I would like to kill too.

Mr. McClellan: That was the next question.

Hon. Mr. Norton: There you go. Rumours are insidious things. This is one rumour that, as far as George is concerned, I will do my best to make sure does not become a self-fulfilling rumour.

Mr. McClellan: That would be good.

Hon. Mr. Norton: Although I think, in fairness to Judge Thomson, it has been known from the time he came that he was not necessarily going to make a lifetime career in the civil service, the rumours of his imminent departure, I think it's safe to say, are not well-founded.

Mr. McClellan: I would just like to say something at this point on a very personal note. I hope very much that Judge Thomson will stay in his post and will stay to shepherd the omnibus children's legislation, assuming certain things I probably should not have said.

Mr. Watson: Just keep going, you're doing all right.

Mr. McClellan: I assume that the quality of an exceptional public servant would be recognized by whatever the government of the day happens to be—

Hon. Mr. Norton: Anyone who thinks they might subsequently be in that role had better treat him well now.

Mr. McClellan: —and that he will stay to shepherd the omnibus children's legislation through this Legislature.

But back to the amalgamation: I gather it is something that is being discussed.

Hon. Mr. Norton: There are options that are being looked at in terms of what is the most rational approach to take to the next phase. But, as I want to re-emphasize, there is at this point no final decision on any particular direction. There are a number of options that have been looked at. We will know what the approved

direction might be probably within the next few months.

Mr. Sweeney: Why would you spend all that time splitting up the two divisions and even consider putting them back together again?

Hon. Mr. Norton: May I just suggest that on the basis of what you have admitted is a rumour and what I think is—

Mr. McClellan: But you are confirming the fact.

Hon. Mr. Norton: No, I am not confirming it as a fact at all. I am saying only that somebody somewhere in the ministry or elsewhere who clearly is not involved at the level of policy decision of these determinations has come to a conclusion which is excessively simplistic and does not reflect the—

Mr. Sweeney: That sounds like the policy secretariat— simplistic answers to complicated problems.

Mr. McClellan: Excessively simplistic.

Hon. Mr. Norton: No. I am saying that whoever generates the rumours is being very simplistic.

Mr. Sweeney: That is what I am referring to, also.

Hon. Mr. Norton: Are you suggesting the policy secretariat started this rumour? Maybe they did. I don't know where it started.

Mr. Sweeney: It would make sense if that is where it started. But it does not make sense in this ministry.

Hon. Mr. Norton: What doesn't make sense in the ministry?

Mr. Sweeney: To put the two of them back together again.

Hon. Mr. Norton: Do you have a capacity to accept and hold to your breast every rumour that comes to your attention?

Mr. Sweeney: No.

Hon. Mr. Norton: For goodness sake, then, don't be silly.

Mr. Sweeney: No, I wasn't suggesting that.

Mr. McClellan: I do not understand why you are so touchy on this.

Hon. Mr. Norton: It is just that I am not in a position to discuss what the direction is because the decision has not been made.

Mr. McClellan: You are annoyed.

Hon. Mr. Norton: I am annoyed that a rumour is out there causing concern to a number of people.

Mr. McClellan: That is simply a fact. It is also obviously a fact that there is some serious policy

analysis taking place with respect to the structure of the ministry—

Hon. Mr. Norton: Certainly.

Mr. McClellan:—and that one of the options apparently is that the two divisions in some sense be amalgamated. We are simply trying to find out what stage that process is at and what might be the likelihood of that particular option ending up as ministry policy.

Hon. Mr. Norton: I do not know how well fleshed out the rumour is. If you want to flesh it out, then I can, perhaps, respond to it.

Mr. McClellan: It is as I stated it.

Hon. Mr. Norton: I can say this. If that is the extent of the rumour then it is absolutely too simplistic. Whoever started it simply does not understand, I think, even the option reflected in what may have appeared to them to be that. They just do not know what they are talking about.

Mr. R. F. Johnston: At what stage are you in terms of considering restructuring? At what level? You said it's some minion down there who—

Hon. Mr. Norton: I do not know who it is.

4:10 p.m.

Mr. R. F. Johnston: Oh, I thought it sounded very specific. I thought you could give us the initials almost.

Obviously, this is someone or some people who are having input to a process which is under way at the moment in terms of looking at the overall structures, et cetera. What process are you going through at the moment in terms of discussing restructuring? What level is it at? What period of time are we looking at? We are going to have to fish or we are not going to get it.

Hon. Mr. Norton: The answer to one part of your question is we are going through the normal process.

At what stage are we at in terms of timing? I do not know the answer to that because the final decisions depend upon the coming together of a number of factors.

Mr. R. F. Johnston: At the moment are there specific written proposals before you or the deputy, at that kind of level, in the restructuring you are looking at?

Hon. Mr. Norton: Yes, there are.

Mr. R. F. Johnston: Are there a series of recommendations and different kinds of options being presented to you, or are you dealing with only one?

Hon. Mr. Norton: There has been a number of options.

Mr. R. F. Johnston: Does one of those that has been presented at that level include the possibility of amalgamation?

Hon. Mr. Norton: Again, I do not know that I can give you an absolute or a simple answer on that, because to me amalgamation means something that one of the proposals does not mean.

Mr. R. F. Johnston: Okay. The structural connection between the two—

Hon. Mr. Norton: There are structural connections between the two divisions now. We have a common deputy and a common minister; a very common minister.

Mr. R. F. Johnston: An expansion of the connections downward through the hierarchy?

Hon. Mr. Norton: Yes. I think that is too simplistic a way to describe it.

Mr. McClellan: If I can just put my two cents' worth in, I do not think we are anywhere close to a point where you should be contemplating, however you want to characterize it, reintegration or some modification of the unique status of the children's services division. I think there have been enormous advantages in having a separate division with an associate deputy minister.

I simply say to you that from my perception we are not at the point where we can move away from that structure because of the advantages and because of—

Hon. Mr. Norton: If it is any—

Mr. McClellan: I haven't finished.

Hon. Mr. Norton:—balm to your anxiety—b-a-l-m, I mean—

Mr. McClellan: Oh, you had me worried for a minute.

Hon. Mr. Norton:—I think I can assure you there is no option before me that disposes of the associate deputy minister.

Mr. McClellan: I am not talking in personal terms.

Hon. Mr. Norton: I am not talking only in personal terms either.

Mr. McClellan: I am talking structurally.

Mr. Sweeney: Is there an option that would expand children's services to include something other than what it now includes?

Mr. McClellan: Is it bigger than a breadbox?

Hon. Mr. Norton: Like education or something like that?

Mr. Sweeney: You can fill in the blanks.

Hon. Mr. Norton: This is like Twenty Questions. I remember that program used to be on the radio when I was a child.

Perhaps I could ask you a question just for my own edification, going back to your most recent series of questions. Do not interpret my line of questioning as a confirmation of the rumour, though.

Mr. Sweeney: You have already confirmed the rumour. Why don't you get off that one and get on to another level? We are past stage 52.

Hon. Mr. Norton: May I simply ask you to flesh out the foundations for your anxiety as expressed?

Mr. McClellan: Within the service community there are strong rumours and that is all I am saying.

Hon. Mr. Norton: All right. I realize there are rumours. But you were expressing anxiety about any sort of stronger connections between the divisions, or however it was. What is the foundation of that anxiety? Can you tell me?

Mr. McClellan: I do not know what the foundation would be within the social service community.

Hon. Mr. Norton: No, I thought you were expressing a personal one.

Mr. McClellan: Yes, sure. My own personal anxiety would have to do with going back to a status quo ante within the ministry—

Hon. Mr. Norton: No, we certainly wouldn't do that.

Mr. McClellan: —and I think that there have been all kinds of advantages in having an associate deputy minister with more than the traditional assistant deputy minister status, able to devote attention to some of the problems within the child welfare system.

I do not think we are sufficiently far along the path of reform that we can move away from that structure. In fact I would not think we could move away from that structure until the omnibus children's legislation is in place and is working.

Hon. Mr. Norton: May I just assure you then there is no option under consideration that would support your anxiety?

Mr. McClellan: All right.

Hon. Mr. Norton: I can assure you of that. There is no option under consideration that would support the basis of your anxiety as you describe it.

Mr. R. F. Johnston: I am trading questions here. In terms of developing connections, or whatever, in the very specific kinds of wordings we want to have here, between the two services, what required structural changes and advantages are you looking at or studying at the

moment in terms of the interplay between the two?

Hon. Mr. Norton: The question of advantages in terms of structural change is what we are evaluating. It is not a question of studying advantages; one evaluates those.

Mr. R. F. Johnston: But you have proposals before you, not simplistic ones at all, but very complex ones obviously. What kinds of things are being taken into account in this interplay they are trying to deal with?

Mr. Carman: I think the one area in particular that one could mention as a specific advantage of having better linkage between the adult and children's services division is that of income maintenance policy.

Income maintenance policies, as we have clearly seen in terms of vocational rehab and learning disabilities, have an important impact on children. What is perhaps more important is there are a whole series of income maintenance policies that can affect families, rather than just the individual who seems to be the recipient of the benefit.

I think, too—I mentioned the word family—that there is the whole notion of family policy in the home support area. The reason I took over the chairmanship of the advisory committee was our present—I was going to say bifurcation, but it is a quadripartition—of policy development within the ministry, in which facilities—adults' and children's—and the policy secretariat, all have policy-making functions. This creates some real difficulties in terms of a unified policy development process.

Those are the kinds of things that are being looked at in terms of advantages to the better bridging mechanisms you have described.

Mr. McClellan: I know a way to solve one of the four. Get rid of the secretariat.

Hon. Mr. Norton: I think he meant what we refer to within our own ministry as a secretariat, rather than to the other secretariat.

Mr. Carman: Mr. Heagle would be independent.

Mr. McClellan: Right, I withdraw that remark.

Mr. Sweeney: Mr. Minister, when I made reference to the policy secretariat it was not just a flippant remark. It is fairly obvious that in terms of adult and children's services they are moving towards the family model, which has many advantages and which in many cases I support.

That is why I was wondering out loud whether or not that is where the impetus is coming to pull these two together. I certainly want to ally

myself with the sentiment that at this particular point you are making some real progress in children's services and that should be solidified before you make moves that would create problems to support them.

Hon. Mr. Norton: I can assure you the initiatives have not begun within the provincial policy secretariat as distinct from within our own ministry. I want to emphasize too that the options being looked at are not, in my opinion, regressive. They are not a return to, or even closely related to, structures that previously existed. I don't know whether that is of any soothing value at this point.

4:20 p.m.

Mr. McClellan: A return to the Neanderthal man. We will wait for the next discussion paper.

Hon. Mr. Norton: The deputy reminds me that the only semblance of the Neanderthal age that exists in the ministry now is me.

Mr. R. F. Johnston: He is very astute.

Mr. Chairman: Will he be deputy long?

Hon. Mr. Norton: Actually I did not want to make that announcement right now. I have in mind a fellow by the name of Stein who writes for the Toronto Star.

Mr. Sweeney: Is he running under the NDP banner too?

Mr. R. F. Johnston: No, he is just a very bright and enlightened individual.

Mr. Blundy: I just have one thing I wanted to bring up and that is about the article that appeared back in June regarding the child-abuse clinic at the Hospital for Sick Children and Dr. Robert Bates' comments. Dr. Bates was decrying the funding that was being provided for what he considered was a very heavy work load.

At the bottom of the article, Dr. Herb Sohn, co-ordinator of child-abuse programs for the Community and Social Services ministry, said that approval of any further money for him would be difficult because Bates is seeking a larger continuing budget while Sohn's section provides mainly one-shot grants for educational and training programming.

I would think that a child-abuse clinic of the nature described in this article is probably a very good thing in Metro Toronto, where there are so many people. What took my eye about this article was where it said that this is just a one-shot deal for educational and training programs.

Is that correct? What is the status of Dr. Robert Bates' clinic, which is described? What about now? What is it doing? How is it functioning?

How are they making out for funds? What is their case load? What relation does Dr. Sohn's statement have to the above?

Hon. Mr. Norton: I am not sure I can answer all of those questions. Perhaps some of the staff who are more familiar with how the clinic is operating can respond to part of that.

It was our opinion that the ongoing clinic at the Hospital for Sick Children was principally a health related service. The Minister of Health (Mr. Timbrell), when we discussed it with him, indicated—and I presume this has been indicated to Dr. Bates—if they would get that into the priority list of recommendations from the health council, Health would consider it on the basis of that recommendation.

Mr. Blundy: He talks about the budget allocation starting in 1973. From 1973 to 1980 was it funded by your ministry or was it funded by the Ministry of Health?

Hon. Mr. Norton: To my knowledge it has never been funded by our ministry.

Judge Thomson: No, it has not been, Mr. Blundy. I am not even positive it has been funded by Health. I know it came out of the sick kids' hospital budget—whether it came from Health money to the sick kids' or from The Hospital for Sick Children Foundation, which is a separate sum of money, I can't say. However, our budget has not been used to fund that.

Mr. Blundy: This clinic of which he speaks was never funded by Community and Social Services?

Judge Thomson: We provided some resources for particular work Dr. Bates has been involved in and we have used him extensively for various purposes, such as training and so on, but we have not been involved in funding the staff in his program itself.

Mr. Blundy: Are you aware of the status of this clinic now? Is it operating satisfactorily? Is it being funded sufficiently? Do you know anything about it?

Judge Thomson: I think the answer to that is that it is well funded in resources for the level of service they were being asked to provide, let us say, four or five years ago. In the last while there has been a fairly major increase in the request for service from Dr. Bates, who has been wanting to expand the level of service he provides.

That is the issue. I think he was well resourced for the level of service he was originally set up to provide, but not in terms of what he would like to provide.

Mr. Blundy: Then as far as this clinic is

concerned in its day-to-day operation it is really a Ministry of Health matter?

Judge Thomson: That is right.

I met with Dr. Bates about a month or so ago and we had a talk about a way, perhaps through our assistance to children's aid societies, in which it might be possible for some support to be provided indirectly. But that would be our funding of child welfare people who might get some assistance from him, rather than our funding the health service directly; that is something that ought to be funded through Health.

Mr. Blundy: My last question is in regard to Dr. Sohn's statement about the one-shot grants for educational and training programs. How extensive are these programs across the province, not just here in Metro Toronto? How extensive are they? How many of them have taken place and how many are in existence?

Hon. Mr. Norton: It is too bad we do not have Dr. Sohn here.

Judge Thomson: I have a summary of all the work the child-abuse program has done over its full existence as of about a month ago. I could provide that to you, Mr. Blundy. It does involve activities across the province.

Mr. Blundy: I would be interested to have it.

Mr. R. F. Johnston: I have a few questions I want to ask you about autism and what is going on in the province with regard to autism.

What kind of money is going into research? What are the numbers of kids in institutions now who are autistic? What kind of money are we putting into the community support and community assistance to parents and families at this point?

I remember Geneva Park had a major program, which I gather was reduced a bit a year or so ago—at least, they reduced their services, let me put it that way, in terms of the summer support they were providing to parents, that sort of thing. I just have no idea what is going on at the moment with the ministry on this.

Mr. Carman: Judge Thomson is going to provide the details around the individual programs to the best of our collective memory. The question of services to autistic children and adults is an area that has generally been conceded to be within the ambit of the services to the developmentally handicapped rather than in any other area, although clearly a number of autistic children are in the care of children's mental health centres, in Thistletown in particular.

In the planning for it, though, there has been some lack of clarity in just what the most

appropriate mechanism is to do the planning—whether it should be done on a provincial basis or whether it should continue to be handled by the district working groups.

A number of the local associations that deal with autistic children have found that by going through the district working groups they have been able to get their projects on to the priority list. In Ottawa, in particular, some funding has actually taken place or is about to take place. However, in other areas there is a concern that the district working groups are oriented more to the mentally handicapped than they are to the mentally retarded or, to be more specific, than they are to specialized disabilities such as autism or cerebral palsy and so on.

4:30 p.m.

As a consequence, at this stage we are attempting to come up with a proposal we can take to the district working groups which will decide whether we ought to be dealing with this through them, or whether we ought to be dealing with it centrally or what other planning mechanisms would be most appropriate.

It is an area that is not resolved and in which the policy papers are being actively considered at the moment as to the best way of handling the planning and making the decisions around the services. Beyond that, I think, George Thomson could perhaps comment on the specific programs.

Judge Thomson: In the area of children, I think the most extensive programs are in the children's mental health area. Thistletown Regional Centre has provided programming for autistic children, Carry's Place, which is up near Owen Sound, is a residential program and perhaps the best-known one.

Frankly, I think the best program that exists now in the province is the Geneva Centre program you were referring to. It offers extensive nonresidential services and support to parents of autistic children.

I do not think we actually cut its resources. What happened is it found the demand for services was very substantial last year and it altered the program, recognizing it was not able to offer the services to people who were far away from where it was located in the way it could before. In actual fact, we provided a small amount of added assistance last year. I would have to check that.

Mr. R. F. Johnston: That is right.

Judge Thomson: Also this year, we did two additional things. We provided Geneva Centre with some money for research. It is testing different ways of parents coming together to provide support to one another and so on. It has

a model it is testing and was doing some research with some of the lottery research money we got.

Just recently, through Geneva Centre, we provided some money to the Ontario Association for Autistic Children. We are involved in developing materials for doctors and others to help them in identifying autism when a child has it, material to help parents know where to turn and to help them develop local chapters of parents. I guess mutual support groups is what you would call what they would be helping to create.

Those are the main programs for the autistic. We have been looking at further services we could develop, in particular of a nonresidential nature. There is an adult program, Adams Place, that is funded through the MR side. Adams Place is, I think, in the Orangeville area.

Mr. R. F. Johnston: The Geneva Centre group did try to send out people to places like Windsor and around the province where there are just a few kids. They were trying to stay in the community and their parents were trying to support them. As I understood, they had to cut back their travel and field work because of the mounting numbers. As I recall from last year, they were dealing with about 60 people. They had to cut back to deal with the 20 most recent groups they had not dealt with in the past, or something like that.

Judge Thomson: I think that is right. They did develop a set of materials and a way of providing assistance to those parents without being able to go in the way they could before. But you are quite right. They did find themselves a little overwhelmed with those from far away.

Mr. R. F. Johnston: When they did that change in programming this year did they do any analysis of the effect of that withdrawal on some of the kids in the community at the time?

Judge Thomson: I think what we are now funding is going to enable them to see whether the thing they are using instead of their staff going out is working. I am not positive about that. I could give you information on that. I am not sure whether they followed through on the specific children they were unable to see personally. I could find that out.

Mr. R. F. Johnston: Would part of the reorganization that may be taking place, the proposals you have before you, enable later decentralization?

It seems to me the problem is numbers in so many cases. We want the kids to stay in the community and there are only one or two places in communities spread around the province, so there is a real problem in providing adequate

services to those kids without bringing them into residence in a place like Toronto or one of the other areas. This is, I presume, one of the dynamics you are dealing with in terms of whether the working groups can change other programs they are doing to fit.

How is that working?

Mr. Carman: Up to the moment, Mr. Johnston, we really have not gone to the working groups to determine their willingness. What it means is a willingness to change the composition of the working group to include parents or service providers or association members from all developmentally handicapped groups. We feel we have to go through a period of consultation with them to determine whether they can move effectively off an MR focus to a developmentally handicapped focus.

We would be supportive of that with the working groups, and have been up till now, because then all the money could be provided to the area level to determine arrangements, whether it is an outreach from Geneva Centre to Windsor, or to Cornwall or whatever. At least the area manager would have the advice of the local people as to what the priorities were and he could arrange for the purchase of service to meet those needs, whether they are family support from outside or a residential program or whatever. It would be quite advantageous, in our view, to have that decision-making comprehensive and local.

Mr. R. F. Johnston: When and if you make proposals like that public to those groups, I would appreciate receiving a copy of any suggestions you make.

Judge Thomson: Yes.

Mr. R. F. Johnston: One last little thing in terms of the research side of things: Is anything being done with any of the universities at this point in terms of research in autism that is being funded through either Lottario money or ministry money of one sort or another?

Judge Thomson: I think the only portion of the lottery funds that went to autism were the funds that went to Geneva Centre. A university may be involved in that particular research, but I am not positive of that.

Mr. Belanger: On vote 2903, item 4, detention and correctional services, do our training schools come under that vote and item?

Mr. Carman: Yes.

Mr. Belanger: A few years ago, the ministry intended to close down the training schools across the province, except for a few real delinquents who could harm themselves or

harm others. How many schools did we have in operation at that time and how many closed down?

Hon. Mr. Norton: If one includes Camp DARE, which was part of that system going back four years ago, we had 10 at that time. If you do not include Camp DARE, it was nine. The numbers are now reduced to six, counting Champlain Training School which is still in operation.

Although we have closed a number of beds, I think the bed capacity at the time, the number of spaces in training schools, was eight hundred and—

Mr. Barnes: About 865.

Hon. Mr. Norton: The number of beds closed has not, contrary to popular perception, turned children out of training schools. At the time we had the 865 beds a lot of those beds were empty. In fact, we had an occupancy rate of something like half, did we not?

Mr. Barnes: Yes. I think we now have a capacity of just over 500 and we have about 320 children in training schools at this time.

Hon. Mr. Norton: We have made substantial progress in that direction, as you are well aware.

4:40 p.m.

Mr. Belanger: I know you are proposing to close Champlain in the near future and the local people appreciate that you have waited until you have something else to put in that huge institution, namely the agricultural college for francophones. About 80 families derive their livelihood from Champlain. It is the main industry of Alfred, if you can call it an industry. Of course, we have been very upset over the announcement the school would close.

I would like to ask you, how many students do you have in Champlain at the moment?

Mr. Barnes: It varies; anything from 23 up to 30 in any given week.

Mr. Belanger: I am intrigued by the fact this is a French school and there are no francophone students in that school.

Hon. Mr. Norton: None at all?

Mr. Belanger: Apparently not.

Hon. Mr. Norton: It must mean there is little delinquency among francophone children.

Mr. Belanger: I wish I could believe that.

How many students from eastern Ontario are in other schools across the province?

Hon. Mr. Norton: I don't know whether I could answer that.

Mr. Barnes: There may be students in Brookside Training School from eastern Ontario. How

many there are at this moment from eastern Ontario as distinct from, perhaps, Toronto, I don't know. Probably 40; but that is a pure guess. I don't know.

Mr. Belanger: Is there any francophone student from that area in English schools, for instance?

Mr. Barnes: At St. John's Training School there could be some Catholic children from eastern Ontario. Whether there are any francophone children in St. John's or Brookside, I don't know. I would doubt if there are any in Brookside because they would go to Champlain.

There might be a couple of francophone children up in Cecil Facer Training School, that is possible, because we have a francophone program there, as you know. Most of the francophone children, if they are from the north, will go to Cecil Facer or have in the past gone to Champlain. As you said, the numbers have always been remarkably low.

Mr. Belanger: What will happen with the students there? I think there are 23 or 24 now. What will happen to them when you close Champlain? Where will they be relocated? I understand you are proposing to build some group homes.

Mr. Barnes: As alternatives, we are proposing to open three group homes which, between them, will have something like 10 beds each, say, 30 beds. If they are children of a more serious nature, than we would put them in Brookside but, as we have always announced, the object is to provide the best community alternatives we can.

Mr. Belanger: I know you are interviewing the employees in Champlain individually. Are the interviews complete and what are the results?

Mr. Barnes: I don't know whether the interviews are complete yet, but I know they have been going on. The employees have been guaranteed other work. Some of them will be offered jobs in the new school. Some of the work will be within the ministry although it will require relocation, as they were told when the regional director met with them a couple of weeks ago. The actual stage and results of those interviews I cannot reveal at this time.

Mr. Belanger: There was a committee set up between the two ministries, the Ministry of Agriculture and Food and your ministry, to integrate this. Do you have any idea at the moment how many will be taken on?

Mr. Barnes: No, I don't. We are discussing that actively with them at this time, trying to match jobs, qualifications and people to the greatest extent possible. I know Agriculture and

Food obviously wishes to employ as many people as it can.

Mr. Belanger: You received a recommendation from the united counties of Prescott and Russell and every municipality asking, because they have been offering this service for 30 years, that the group homes be located in Prescott and Russell within driving distance of those families in Alfred who have located there and own their homes. How close can you come to meeting their requests?

Hon. Mr. Norton: I don't know if I can state with certainty at this point how close we can come. In a situation like that we have to balance the objective of trying to provide alternative employment for the employees with the other objective of providing service to the children as close as possible to their own communities. Obviously, some of the children may be resident in Prescott and Russell and in other parts of eastern Ontario.

In so far as that is the case, we would be trying to locate the new alternatives, distribute them on some basis, so that children still do not have to travel great distances from their homes to receive the service. And I honestly do not know whether the staff has had a chance to do that kind of analysis in terms of population, of where the children originate.

Mr. Barnes: As you have already indicated, there are not a lot of children from Prescott-Russell in Champlain. And I think the minister described it very accurately; it is this question of balancing, providing the best possible service for the children where they most need it with, of course, our responsibility to the staff who have been working for us in many cases, for extended periods of time.

Hon. Mr. Norton: How far can people reasonably commute?

Mr. Belanger: Anywhere within Prescott and Russell.

My last question: When do you propose to close up the school, to phase it out?

Mr. Barnes: The current plans are that we will have ceased operation at the school probably by April 1. In other words, there will not be any other children there. Agriculture and Food will then be taking it over. In fact there was an advertisement for the new head of the school in the papers last week or this week. As of April 1, they will then undertake the necessary changes, renovations and rebuilding that is required and, I understand, intend to have the school in operation in September, probably at the commencement of an academic year.

Mr. R. F. Johnston: Somebody just mentioned

DARE as one of the projects which is of interest to me because of some of my work in standards for wilderness travel and that sort of thing. I have talked a fair amount with the director.

Do you have any evaluation of the program in terms of recidivism? When it was first brought in there was great hope that these kids, through this particular kind of experience, would not be as likely to find themselves back before the courts, et cetera. I was wondering what any studies show lately.

Judge Thomson: When DARE was first established there were two DARE programs. There was the one where the present operation is, near Algonquin Park, and another one, I think, over in the Parry Sound area. The other one, the one that is not still operating, dealt with children who were multiple training school placements. They had been in training school a long time, and had been returned to training school. This was an attempt to try to turn around those children who are the most difficult of them all.

An evaluation was done, a follow-up of those children, to compare the recidivism rate against that of the children who had just been in the regular training school program. Unfortunately, I have to tell you that the experimental group did not do any better than the control group, and they were finding they were not having a lot of success with those children, at least any more success than the regular school program. But you have to remember that they were dealing with some very difficult children.

There has not been a formal follow-up on the other DARE program, particularly more recently where we have been opening it up. We have been making it available for children who have not reached the training school ward stage. For example, in some communities, a whole bunch of children on probation had gone up for a chunk of time, particularly during the summer, and a number of people feel very optimistic about how that is working. I know the director of the program feels that very strongly as well.

We have also been making it possible for some children's aid societies to make use of the program for some wards. We have not done the formal kind of follow-up that was done at the other DARE program, so the positive feeling right now is more based upon just a general feeling that these children are doing well, as opposed to a formal evaluation.

Mr. R. F. Johnston: And when will that take place? I presume you are going to do one.

Mr. Barnes: We do not actually have money allocated to do it right now.

Judge Thomson: Some of the lottery money

was set aside for the purpose of evaluating existing programs. When we picked what we would evaluate, we did not pick the present DARE operation at that point. It is possible that when the evaluations of the things we did pick are over, we could then set aside some of that money for DARE.

Mr. McClellan: Mr. Chairman, first, I want to ask have Woods Gordon done a research study for the ministry on child abuse?

4:50 p.m.

Judge Thomson: I do not think so. Woods Gordon has been involved in some work, trying to set up different kinds of children's grievance procedures, complaint procedures within residential programs. But I cannot think of anything they are doing or have done for us in the area of child abuse. We will confirm that, but I am sure I would have remembered.

Mr. McClellan: I would like to stay with the correctional services program. I had to ask a question on the Order Paper with respect to the number of children who were being held in jail—I think it was last year, I do not have my file with me. As I recollect the figures, 17 juveniles had been held in jail rather than in observation and detention homes.

I assume that the situation has been corrected since the majority of those children were from the Kenora area and the observation and detention home has been opened in Kenora since your figures were released.

But can I ask again? Have any children been held in jail in Ontario during the past year, rather than in an observation and detention home? If so, where?

Judge Thomson: There is the power in the Juvenile Delinquents Act in very exceptional cases to authorize this when one has a child who is totally out of control and so on. I do not know whether any orders under that section have been made.

But dealing with children who would be placed there because of the absence of appropriate observation and detention home programs, I know it has been reduced if not eliminated. Because of the Kenora program, the Thunder Bay Observation and Detention Home is now running. We have had some difficulty in getting the Timmins one going. I do not know whether any children in the past were being placed elsewhere, whether in jails, motels or whatever, because of the absence of the program in Timmins. It still is not going.

Mr. McClellan: That is a contract home, isn't it?

Judge Thomson: Yes. It required a zoning

change and the Ontario Municipal Board did not support the zoning change, so they are seeking another location at this point.

There was also some concern about providing that service in the Moosonee area. We are about to enter into an arrangement to provide two beds in the Moosonee area. I am not sure whether any children have had to go to any jail setting there, but there has been no O and D home there. I can check to see whether any children have—

Mr. Barnes: There was one child who was sent to jail about five months ago. There was a significant sort of investigation of the situation with the judge. But that is all I know of.

Judge Thomson: It may be that one child or perhaps two have been placed in a jail in the Moosonee area. That is one of the reasons why we are getting that two-bed program going there.

Mr. McClellan: When will that be established?

While you are looking that up, perhaps Judge Thomson can fill me in on the outcome of the negotiations with the observation and detention home in Kenora around the mix of beds. We discussed that earlier in the summer.

Judge Thomson: I met with Colin Wasacase to talk about it. I think they were finding they had been able to take on the children they wanted. The fact that they were an O and D home and a place of safety had not made it not possible for them to take the children who were simply in crisis, because those were the two ways children were coming to them. It did not seem to be a problem at that point.

I left it with him that if they did find in the future there were children they could not provide service for because of the two ways they could take children, without them coming under the Child Welfare Act or Juvenile Delinquents Act, we would be open to changing those to crisis beds of a different type. But because of the civil rights implications of not having the court review if a child is placed if we did that, they were prepared, as I understand it in talking to Colin, not to go in that direction until they found they really had to.

Mr. Barnes: I am sorry. I have a blank on the data on the Moosonee beds, but I will find out for you by Monday.

Mr. McClellan: Good.

I have three items, two of which will obviously have to wait until Monday. One of the things I would like to have some opportunity to discuss on Monday is the new funding process for children's aid societies. Perhaps I can ask

Peter Barnes to take us through the process briefly.

Hon. Mr. Norton: Would you like a sound and light show?

Mr. McClellan: No, I don't want a sound and light show, but I would like—

Judge Thomson: Perhaps it would be better to have Mike Ozerkevich. We will have him come. Mike is the one who is introducing us—

Hon. Mr. Norton: Actually, Peter can put on a great display if you would like it. Give him a few days and he can come up with some slides. You recall last year's presentation, which I thought was—

Mr. McClellan: I found last year's presentation very helpful, quite frankly. I do not want to take up a lot of time because we have only about three hours left, but if it is possible to put together a package of material similar to the material that was put together for us—I mean, the same format, not the same complexity.

Judge Thomson: There is some material that Mike Ozerkevich uses for explaining things to the agencies, municipalities and so on. Perhaps we could get to you in advance of Monday.

Mr. McClellan: Okay, good.

The final thing for the day would be a quick report from Judge Thomson with respect to an issue I have raised a couple of times. It has to do with the express desire of a number of reserve communities to provide foster-care facilities on reserves on a kind of modified group home model basis, so Indian communities are not forced to rely on foster homes in the nonIndian community.

We have been through that a number of times. Perhaps I could get a brief progress report on some initiatives in that area.

Judge Thomson: I think that is really two issues. One relates to the finding and developing of foster homes on reserves, and the other to what I think is more a group home operation and some of the proposals that we have had with respect to those.

With respect to foster homes, we have been developing a quite separate recruitment package for reserves and for the native community. I think that is now being introduced. I can provide you with information about it. It is being put together with the involvement of a number of native people and some of the treaty people as well, I understand.

One part of these child welfare prevention projects has been the recruitment of foster homes and making use of native persons on reserve to obtain and set up those foster homes.

Where we have set up those projects, that is now starting to happen; in a number of cases where children have to be in care temporarily they are finding placements on the reserve, rather than having the child removed from the home and placed elsewhere.

With respect to group home programs, first of all we have, as I was saying earlier, licensed one program. I think it was just recently set up on a Big Island reserve in the Rainy River area, with Chief Joseph Big George. He has had some children in his care who were corrections wards, but now that he has been formally licensed as a group home he is going to be taking children's aid society wards as well as trade school wards.

I think we are on the verge of setting another one up on Whitedog.

Mr. McClellan: Is that Ron McDonald?

Judge Thomson: I talked with a native worker who is trying to develop it. They had a home and were having a problem.

There was a question of the Department of Indian Affairs and Northern Development providing them with permission. There are some hurdles you have to go over with Indian Affairs in order to make the renovations, some of which they wanted to do themselves with local labour. At one point it looked like the approval was bogging down. The last I heard from Rory McMillan, the program supervisor, about a month ago is it looks as if it can go ahead.

Now there are two other proposals, one from Couchiching and the other from a reserve in the Kenora area. We are having some problems on where we go with both of those. What they are asking for is a group home program which would cost somewhere in the range of \$50 to \$55 a day in terms of care.

Couchiching does not have any native children from that reserve in the care of the children's aid society. The other reserve has two or three, although as far as we can determine, they are in foster placement rather than in the more expensive group home placement.

5 p.m.

When I met with them, along with the Treaty No. 3 people, I indicated that before we got into setting up very expensive group homes we would be like to explore the possibility of developing foster-care resources on that reserve with native families. They indicated, especially Couchiching, that they would want to take children from other reserves anyway.

I was pointing out that, if it was possible, it would nice to have the child stay on his or her own reserve through the development of the

foster homes, rather than go to the group home. We left it with them to look at that and get back to Rory McMillan, who is the program supervisor up there.

We have not said yes to either one at this point. There is no problem in their being licensed, but we do not want to license them

unless we know they are going to get placements. At the Couchiching one in particular the Rainy River agency was not sure they had any children to give them. They did not want to license them and have them go through the process of setting up unless there were children for them.

The committee adjourned at 5:01 p.m.

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No. S-36

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Community and Social Services

Fourth Session, 31st Parliament

Monday, November 3, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

MONDAY, NOVEMBER 3, 1980

The committee met at 3:31 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES (concluded)

Mr. Chairman: I call the committee to order. Mr. McClellan, I believe you wanted some information.

On vote 2903, children's services program:

Mr. McClellan: I wanted to have a final shot at the area that remains for me the most important single area within the ministry and the area I am most concerned about. That is the area of day care.

Earlier this summer there was a day care crisis in Metropolitan Toronto. The minister seems to insist that it was a manufactured crisis, that it was not a real crisis. Nevertheless, the minister did come through once the crisis—which the minister prefers not to see as a crisis—emerged. The minister came through with some additional money for Metro, but my concern is that the crisis still remains.

The problems were created in Metro because of what was seen as a shortfall in budget, which resulted in a freeze being imposed on the number of subsidized spaces available in a number of day care centres. I don't see that that problem has been solved.

I recently visited a number of day care centres in my own constituency. I don't have exact figures on these because I left my file at home, but I think West End Parents' Day Care in Ossington Public School has lost about 10 subsidized spaces. St. Michael and All Angels Day Care Centre, which is also in my own riding, also has lost something in the area of 10 subsidized spaces. Don't hold me to the exact numbers, but between the two of them they have lost a substantial number of subsidized spaces.

I had thought, because of what the minister had announced and what Metro had announced, that those subsidized positions would have been restored. But Metro declared there was a financial crisis and froze enrolment as of a particular date. They happened to freeze it at a point in the

year when enrolment is at its lowest level, which I believe is in August. Of course, the need is now back up to its regular monthly plateau, and those subsidized spaces have not been restored.

Just to try to get a sense, we phoned a number of day care centres at random throughout Metropolitan Toronto. Let me share with the minister what we found. This survey was done in the middle of last week.

The Arpi Nursery School on Bathurst had 80 subsidized spaces prior to the freeze and 43 subsidized spaces after the freeze, for a loss of 37. Lakeshore Day Care Centre on Lakeshore Boulevard had 55 subsidized spaces before the freeze and 32 subsidized spaces after the freeze, for a loss of 23. St. Stephen's Community House had 60 subsidized spaces before the freeze and 48 after the freeze, for a loss of 12 subsidized spaces.

Further subsidized space losses are: Gateway Day Care Centre, 28; WoodGreen Community Centre, 13; Cedarbrae Day Nurseries Limited, 11; Mimico Day Care Centre, 11; Hilltop Nursery School and Kindergarten Limited, 11; Kaleidoscope Preschool, nine; Home Service Nursery School, four; Rexdale Day Nursery, four; Main Square Day Care Centre, three; Bloor Lansdowne Day Care Centre Limited, two; University Settlement House, two; and Duke of York Day Care Centre, two.

Those are just the centres we phoned. Each and every one of them had lost subsidized spaces, as well as the two in my own constituency to which I referred earlier, West End Parents' Day Care and St. Michael and All Angels Day Care Centre. That is 18 day care centres. Of the ones I have talked to, each has lost some subsidized spaces. Some have lost almost half their subsidized spaces.

Every one of these day care centres has a substantial number of calls each week asking for subsidized day care. We have the list of that as well. I don't need to go through it for you. Arpi Nursery School was the highest, with 50 or 60 calls per week. University Settlement has 60 people on the waiting list for subsidized spaces. Duke of York Day Care, which is on Regent Street and serves Regent Park, has 18 on the

waiting list. The little note on our survey is, "The need is desperate."

I am at a loss for an explanation of why this situation persists into November. We have had assurances of additional funds. The minister has said there will be no loss of any day care spaces within Metropolitan Toronto, but that is not true. The reality is there, staring you in the face.

I don't know what is going on. I do know—and I want to deal with this too—that the minister is developing a very regrettable tendency to lash out when he is confronted with concerns about the day care issue. I am making a plea to you to stop doing that. You did it repeatedly last year when there were concerns raised by Metro. You attacked the administration of the Metro day care program and the Metro social services committee.

This year, when Metro was confronted with a crisis you responded initially by attacking the competence of the social service program at Metro and the social service committee. In Ottawa, when concerns were raised about day care you responded by lashing out against them. When a group of people came down to demonstrate here at Queen's Park you issued a press release attacking them.

That kind of lashing out against your critics does not solve anyone's problems. The sooner you confront the reality that we do have an urgent need for additional day care spaces, not just in this community—I use Metro as kind of a touchstone because of the number of surveys and studies that have been done—because we know the need exists as well in virtually all other communities in the province, particularly in the large industrial cities of Ontario.

So I make a simple plea to you. First, stop responding as though those who are concerned about the day care issue are somehow the villains in the piece. Second, I ask you if you can explain why it is that some months after your August 20 announcement of an increase in the Metro subsidy we still have day care centres in Metro that have lost substantial numbers of subsidized spaces. To my knowledge not a single new day care space has been put in place in the system.

Hon. Mr. Norton: Mr. Chairman, I am not sure I can explain precisely what is happening, at least on the basis of the figures you have presented this afternoon. As far as the crisis is concerned—

Mr. McClellan: Mr. Minister, I don't mean to interrupt you—

Hon. Mr. Norton: But I am trying to explain—

Mr. McClellan: I am not trying to be difficult.

I would be interested to know your understanding of what was to happen with the additional funds.

3:40 p.m.

Hon. Mr. Norton: My understanding was that with the additional assistance that we provided to Metro, and likewise to Ottawa-Carleton, they would be able to maintain their existing spaces.

I was about to explain that the reason for the crisis they faced in Metro, and perhaps the reason for my "lashing out," as you described it, was that the methods of administration in Metro were obviously partly responsible. I pointed this out earlier as forcefully as I could.

In the first instance they proceeded to open more new spaces than were allocated. That was the first phase of the two phases in the crisis this year.

I met with Mr. Cressy and Mr. Godfrey to finalize that. I thought that was resolved. That meeting, I recall, occurred on a Wednesday morning, just prior to leaving the same day to attend the provincial ministers' meeting in New Brunswick. That same afternoon, after they and I—

Mr. McClellan: Just so I understand, that was when you allocated the additional \$170,000. Is that what we are talking about?

Hon. Mr. Norton: No, that was in the second round. It gave them some slightly larger increase and went to roughly 14 per cent.

Mr. McClellan: That would have been August 20, I think.

Hon. Mr. Norton: No, it was in September, I think, when it was finalized. I remember it was a Wednesday, and it was the day I left to go to New Brunswick.

I left the meeting, and I believe they did too, thinking that the problem was resolved, for this year, in terms of their concern with having to close additional spaces. Then, in the afternoon of that same day the story came out about the estimated \$400,000 additional deficit which had been incurred over the summer, as a result—as nearly as I can understand it, and I think as they could at that point—of some variation in terms of projections they had worked on, and the fact that their monitoring of the number of children admitted was delayed. It was not until September they discovered they had admitted over the summer, on the basis of subsidized spaces, more children than they had allocations for.

When I came back from New Brunswick we had further meetings, and reached the agreement with respect to the additional assistance of \$170,000. At that time I believed, and I thought they did too, that would restore their position; they would not have to close any spaces.

I have heard recently from some of the private providers that they are concerned—I cannot explain this; I will attempt to find out what is going on—and believe that what has been happening is that Metro may be protecting subsidized spaces for their own centres at the expense of the private providers.

One private provider told me that some of the children in subsidized positions in that private setting had been told that there was no longer any funding available for them, but that the subsidy would be available if they were to transfer to a Metro day care centre. It was that kind of thing happening that has made the private providers suspicious that Metro may, in some way, be protecting the subsidies for their own centres.

I don't know exactly what they are doing. My understanding was, as I think yours was, that the additional assistance would alleviate that pressure.

Mr. McClellan: The information we have on the basis of this survey is that clearly the pressure has not been relieved. It may be the money you provided forestalled the necessity of shutting down subsidized spaces within the Metro day care centres, but it does not appear to have had any impact at all—I am extrapolating from a survey of 18 centres but, if that is the pattern, your intervention has not had any impact in restoring those subsidized spaces to the fee-for-service contract day care centres.

Hon. Mr. Norton: There was no such distinction made in any discussions I was part of. I thought we were talking about all the day care spaces in Metro and I would like to find out from Metro what—

Mr. McClellan: I would like to ask you to obtain a report from Metro with respect to the current state of the subsidy freeze. I am sure you are aware of the consequences.

Hon. Mr. Norton: The other thing is, there was not to be any continuing freeze, as I understood it, in terms of admission. We will just have to try to get that information from Metro.

Mr. McClellan: The consequences are enormously severe, as I am sure you realize. A number of day care centres that operate on a fee-for-service contract with Metro are now in the position of having lost substantial numbers of subsidized spaces. Those subsidized spaces have not been restored.

They are now in the process of doing their budgeting for next year. They will be doing the budgeting on the basis of a reduced number of spaces. Some are going to go broke. Some are going to have to lay off staff. Some are going to

shut down. These are centres in areas of high need.

I understand you have made a commitment at least to find out what the situation is. As well, I hope I can get from you a commitment to provide whatever funding is needed to protect the number of subsidized day care spaces without having to eat into the 500 new spaces committed as a result of the report of the Metro day care advisory task force.

Surely I don't have to remind you—and I don't agree with the saw-off—that the need was identified, not for 500 spaces, but for 1,400 spaces. That need for 1,400 subsidized spaces was not to meet the need for day care, it was simply to balance the inequitable distribution of day care centres across Metro within an overall context of shortage.

Even if you were able to provide each and every one of those new subsidized day care spaces, all 1,400 of them, you still would not have addressed the shortage. All you would have done is to equalize the shortage across Metro and make sure some areas are not grossly underserved in comparison to other areas. It is like the old cartoon in Pogo, free shortages will be distributed equally among the people. You are not even making that commitment. You are not even saying, "Here are 1,400 spaces so the shortage can be distributed equally all across Metro."

I showed you before the map of the levels of service in need from the day care task force. I note with considerable anger, quite frankly, the location of the areas of greatest need in the immigrant areas of west Toronto, west Metro, Downsview and the northwest suburban areas and, again, the low-income areas in the east end of the city, such as Danforth from Broadview to the southern end of the borough of Scarborough.

3:50 p.m.

The areas of greatest need are the areas most badly hit by the maldistribution of day care spaces across Metro. I would like a commitment from you that the half measure you have taken, the 500 new spaces, will not be used—well, I identify it as a half measure. I understand you have made a commitment towards meeting that request.

Hon. Mr. Norton: There is no firm commitment at this point. That is why I was quite surprised. I do not know what the budget allocation is for the next fiscal year so I am not yet in a position to make any commitments.

Mr. McClellan: That is probably good. I hope you will, at a bare minimum—and it is a serious situation; it is a crisis situation—accept the

recommendations of the Metro Toronto day care planning task force and allocate an additional 1,400 spaces, not 500 as were requested by Metro but 1,400.

Second, regardless of whatever allocation you make pursuant to the recommendations of the Metro Toronto day care planning task force, I hope you will make a commitment that spaces lost because of the freeze this year will be brought back on stream through a second form of budget assistance so we do not end up in the ludicrous position of giving additional spaces to try to recapture spaces lost because of this year's crisis, if it is that complicated.

Hon. Mr. Norton: I probably should not continue to speculate but I think, rather than a loss of spaces, what may be happening is that Metro oversubscribed in taking in, over a period of time including the summer, more children than it had subsidized spaces for. What it may be attempting to do at this point is to come back to the approved levels. It required a substantial amount of additional money to avoid having to close spaces that were approved, because it had spent in the first part of the year far more of the money than it ought to have done if it was planning on working within a known budget.

What may be happening is it is not applying any cutback to its own centres but is, maybe, dumping it all on the private centres. If that is what it is doing I think it is inequitable and, if it persists, it could well have the consequence of forcing some of the private agencies into very difficult circumstances, if not closure.

Mr. McClellan: It is no solution to say, as you seem to have an almost automatic tendency to do—and this goes back to my second point—"You are at fault," or, "You are to blame," or, "Your maladministration is causing the problem," or, "Your inequitable budgeting processes are causing the problem with the private centres." The problem is the overall urgency of the need and the lack of a sufficient provincial response financially to meet that need. As far as I am concerned, that is simply indisputable on the basis of the empirical evidence before us.

Hon. Mr. Norton: I think, though, unless there is a sound administrative practice in use—that's absolutely essential for there to be any consistency in the administration and provision of day care services in this municipality.

Mr. McClellan: I am not arguing about that.

Hon. Mr. Norton: That does have to be resolved and I am not going to back away from insisting upon that because, hypothetically, even if there had been a 100 per cent increase in funding to Metro this year in numbers of

additional approved spaces, it would have had the same problem if it had followed its present administrative practices.

It was not the level of funding that caused the crisis this year. I know there is an issue of demand exceeding supply at the present time—

Mr. McClellan: There is also an administrative issue.

Hon. Mr. Norton: —but in terms of the way Metro was handling the administration, in my opinion, if there had been a 100 per cent increase this year as opposed to a 15 per cent increase—15.5 per cent as it stands now—it would still have been in a deficit situation because it was not operating within its budget. It was taking in children for whom it did not have the money and that created the problem.

One cannot operate one's household budget that way, one cannot operate a ministry that way and one cannot operate a day care program that way, I am afraid.

Mr. McClellan: You know as well as I do there were difficulties this year because, first, there were not the kinds of fluctuations in enrolments that characterized previous years and, second, because of the idiotic way you fund day care centres based on daily enrolment instead of attendance.

Hon. Mr. Norton: No, it is the other way around.

Mr. McClellan: The other way around.

Hon. Mr. Norton: We are switching now to what you were describing.

Mr. McClellan: When you talk about administrative problems you have to recognize those two facts, that there was not a fluctuation this year and your way of funding on the basis of daily attendance makes it impossible for a day care centre to do rational planning. It is literally impossible and I have some sense of that.

You are moving. I know that and we welcome that. I have been asking for it for five years. I do not know whether Elie Martel used to ask for it.

Hon. Mr. Norton: I am sure Elie must have for the previous five years.

Mr. McClellan: Things take time, don't they? Nevertheless, do not penalize the system of day care within my community because of the inadequacy of administrative procedures, especially including your own administrative procedures, because they have contributed to this problem. I believe they are the most significant, single causative factor and you have an obligation not to penalize.

Going back to administrative niceties, I am just as ruthless as you are in insisting on

administrative propriety, but let us not confuse that with a situation in which administrators are saying: "Good God, we have a shortage. How are we going to deal with it? We will protect this or we will protect that, but something has to go."

I am not prepared to quibble over which decision they make, whether they decide to protect this or let that go or spread the devastation equally throughout the system. That is no kind of choice and I do not think that is the issue.

I am just making a plea to you as strongly as I can to get a complete picture of what is happening within Metro, take whatever budgetary measures are necessary so people are not penalized for what happened this year, and then get on with the job of moving towards the plan recommended in the day care planning task force.

Mr. Sweeney: I have a couple of questions of the minister. Before I begin, I wonder if either you or your officials can confirm a few figures I have, because my questions are going to be based on them.

According to the stats I have from 1979, there were 257,000 pre-school-age children with working mothers and therefore in need of some kind of day care attention. There were 65,000—roughly 25 per cent, in other words—licensed spaces in the province and approximately 18,000 were subsidized, which represents about seven per cent.

Are those reasonable ball-park figures, if not absolutely accurate?

Hon. Mr. Norton: I think the 65,000 figure may be slightly high and I do not know about the other one. Do you?

4 p.m.

Judge Thomson: I do not know the answer to the first one. I think the other two are roughly in the ball park.

Mr. Sweeney: What I am saying is we have slightly in excess of a quarter of a million pre-school-age children with working parents and therefore in need of day care; 65,000, or approximately 25 per cent—you are suggesting it might even be less than that—are in licensed spaces and 18,000 are in subsidized spaces and that represents about seven per cent.

My first question is, what is your overall day care philosophy, plan, principle? To what extent is the ministry responsible or to what extent does the ministry have a sense of responsibility, given those numbers of children requiring some form of day care? Do you have a plan of any kind or are you just dealing with it day by day, month by month? Where are you going?

Hon. Mr. Norton: We will shortly be bringing out, and I hope it will be within the next—

Mr. Chairman: If I may just interrupt, that is a fairly weighty supplementary, Mr. Sweeney.

Mr. Sweeney: Surely, it deals with the whole issue. What I am trying to get at is just where is this ministry going, given those kinds of figures. I have no idea of what the ministry assumes as its responsibility in this area. Does it have any specific responsibility or does it just deal with the question?

Mr. Chairman: My only problem is Mr. McClellan has the floor.

Mr. Sweeney: I am sorry, I thought he was finished with that.

Mr. McClellan: No. I will pick that up, though, because it was the next point I was coming to.

We have a statement, the most recent statement of day care policy from the ministry, which was included as an attachment to his denunciation of the rally on February 23. On the second page, appendix two, the minister says:

"The Ontario government's prudent spending and taxation policies over the last few years have enabled our ministry to continue to improve its day care services. Within this context the government does recognize that some parents, largely single parents, with low income, will require assistance in meeting the cost of day care for their children. Our challenge is to apply the available resources the best way possible to meet the needs of these children."

Then you go on to say on the second page, under day care facts and figures: "The ministry is willing to license day care facilities beyond those which we help to subsidize. This would allow licensed day care to be made available to more parents who are willing and able to pay for it."

I take that to be the government of Ontario's day care policy in 1980 and it is as inadequate as it is possible to imagine. It is total nonsense to say that day care is something that will be supported only for the very poor and that everyone else can pay the going market rate.

You know what the going market rates are—surely to God you know what the going market rates are. Surely you are not simply going to persist in perpetuity in reiterating this very narrow and wholly inadequate notion of your responsibilities with respect to the provision of day care, because if that is the case, if you continue to act on the basis of this policy assumption, the day care need will simply never be met.

Hon. Mr. Norton: I think it is fair to say that

the document from which you are reading was not intended at the time to be issued as a comprehensive statement of day care policy. We are nearing the completion of a document on day care policy which will be issued shortly, I hope within the next month or so.

Mr. McClellan: I shudder with anticipation.

Mr. R. F. Johnston: Is the philosophy any different in that?

Hon. Mr. Norton: The statement you are reading is intended to address the reality of a situation where one recognizes that at the moment there are not the resources available to meet all of the demand, therefore, the priority is to try to address the needs of those in greatest need first.

I think under the circumstances that is realistic. It is one of the reasons I have taken some exception to—or you would say, I guess, lashed out at—the policy in Ottawa-Carleton where a lot of money—just from a rough calculation based on their figures I would say it is close to \$250,000 a year—is subsidizing families whose income levels are such that they would not normally be eligible for subsidy. In fact, there is no limit on what the family income might be to still receive the subsidies under the Ottawa system. At the same time they have on their waiting list lower-income families who are in need of assistance.

I am not suggesting that some of the others might not be in the marginal areas of income where they could also experience some difficulty, but surely, in terms of priority in trying to address need, one has to address the greatest need first.

As far as the figures that Mr. Sweeney was mentioning are concerned, I do not know whether the 257,000 figure is correct but accepting that for the sake of discussion, I think there are a lot of assumptions being made by you and by some others with respect to what you describe as need in those situations. There is no question that among those children there are some whose families are in need of assistance and we must try to identify that need, but to assume that all 257,000 are in need of assistance is a very sweeping assumption to make. In many instances families would not only perhaps choose to make other kinds of arrangements, obviously in those cases they have made other arrangements.

Mr. McClellan: If it is not the figure John has identified, what does the ministry identify as the figure of those in need?

Hon. Mr. Norton: I do not have any magic figure.

Mr. McClellan: You are coming out with a

policy statement in a month. Is your policy statement going to be devoid of any kind of numerical data? Are you saying you do not know, you do not care?

Hon. Mr. Norton: I do not have a figure and all I am saying is neither do you have a figure that is in any way reliable in this area.

Mr. Sweeney: Mr. Chairman, through you to the minister, I think the record will show that I said there were roughly a quarter of a million children in need of day care. I did not say that every one of those needed subsidizing.

The question was: Given those kinds of numbers, given the percentage your ministry is licensing and is subsidizing, I would like to know what kind of overall policy you have, on what basis do you feel you should be making a contribution? We just do not know that. All we have are these figures floating around and there does not seem to be any rhyme or reason to the fact that only between 20 and 25 per cent are licensed, there does not seem to be any rhyme or reason to the fact that roughly about seven per cent are subsidized.

What is the basis of all of this? That is the thrust of my question, not to suggest for a minute that all 257,000 necessarily need subsidy. I do not know that. I agree with you, there may be some of those who do not require subsidy.

Hon. Mr. Norton: Or even necessarily day care, depending on what you mean by day care. I am assuming that—

4:10 p.m.

Mr. Sweeney: They need some kind of care because both parents work. Whether the parents have to work or want to work or need to work, the fact remains there are roughly 257,000 kids who have to be some place. Where are they? Under what conditions? Who is looking after them? Why are the places of care licensed or not licensed? Why are they subsidized or not subsidized? That is what we do not know.

Mr. McClellan: We do know if you read the studies.

Hon. Mr. Norton: The studies you refer to again make the same kinds of sweeping assumptions. They are not using hard figures.

Mr. McClellan: The project child care studies do not make sweeping generalizations. They are based on empirical data.

Hon. Mr. Norton: But to the best of my knowledge, they are not based upon any data related to specific kinds of arrangements that may have already been made by the families for these children.

Mr. McClellan: Yes, they are. That is precisely

what they studied. They studied the adequacy of private day care arrangements and found there were serious problems with a significant number of them.

If you have not read the report, you should read it. Or have some of your staff read it and tell you what is in it. That is precisely what it was about. I can just close off, because it becomes an increasingly dead-end debate.

You are coming forward with a policy statement in a month's time. I noted with interest that the eminent academic, Burton White from Harvard, came up to meet the cabinet. Is that correct? He met with the subcommittee of cabinet interested in day care. I assume it was a very small subcommittee.

I am really curious to know why Burton White was invited to come up—I assume at the taxpayers' expense or perhaps he was subsidized—why he was brought up to meet with the cabinet; I assume, to have input into your policy statement that we all are waiting for with shudders of anticipation, particularly if Burton White had anything to do with it.

Would you tell us why Burton White was here and what kind of advice he gave you?

Hon. Mr. Norton: Burton White, along with many other people, is a person I have talked to from time to time on matters relating to the areas of jurisdiction of the ministry beyond just the matter of day care.

Mr. McClellan: Your sort of guru, is he?

Hon. Mr. Norton: No, not at all.

Mr. McClellan: Did he give you a mantra?

Hon. Mr. Norton: I already had one.

Mr. McClellan: What is it, "No day care; no day care"?

Hon. Mr. Norton: You are just expressing your lack of knowledge of mantras, because mine is monosyllabic—

Mr. R. F. Johnston: "No, no, no."

Hon. Mr. Norton: —and maybe it was specifically chosen for me because they thought I could only remember a monosyllabic mantra; I am not sure.

Burton White was here not to have input directly into the policy statement. In fact, it was substantially completed before he came to meet with the committee.

Mr. McClellan: Oh, why was he here? He just dropped in?

Hon. Mr. Norton: No, he was here at the request of not only myself but some others.

Knowing, as I presume you do, that he has spent a good part of his professional life studying—

Mr. McClellan: The mores of the upper middle class.

Hon. Mr. Norton: —particularly early childhood development—

Mr. McClellan: Among the white, upper middle class suburbs.

Hon. Mr. Norton: I think that is unfair. I think it has gone beyond that. He has done a considerable amount of work, not only in the United States but in countries other than continental North America.

Frankly, I do not know that I can discuss specifically what went on at that meeting he attended because it was a cabinet committee meeting attended by myself and two or three of my colleagues, and some of the senior staff. It related to early childhood development. Day care was not by any means the only subject touched upon. And he was not here for purposes of directing us or having any major impact on the day care policy which had already been essentially evolved at that point.

Mr. McClellan: I will just conclude with this observation. I am familiar with Burton White's work. All of his work can be summarized with the aphorism: "Women should stay home. The place of mothers is in the home."

Hon. Mr. Norton: I think that is very simplistic. I don't want to irritate you, but I was going to say it is almost a knee-jerk response.

Mr. McClellan: Well, so be it.

Hon. Mr. Norton: If you took the trouble to talk to him, you might find that is quite different from what he says.

Mr. McClellan: It is what he writes.

Hon. Mr. Norton: One of the things he advocates, in situations where families may have chosen that one spouse, perhaps more frequently the wife, remain at home to care for the children, is that there ought to be part-time day care available for parent relief under those circumstances. He advocates that very strongly.

I cannot agree with everything he says by any means, but if one is being fair to him, one ought not to be too hasty to label or pigeonhole him. He makes it clear, I think, that he speaks primarily from the point of view of the interests of the child and that he is not talking about the other issues that arise. If you were to ask him for his opinion on them he would probably say he was the wrong person to ask, that he speaks only in the interests of the child.

Mr. McClellan: I think he speaks for the interests of class rather than the interests of children.

Our day care policy resolution is on the Order

Paper. You can accept it or disagree with it. We will look forward to your statement of day care policy. I hope it is not a pile of drivel. I hope for this province it is not the kind of platitudinous drivel that has characterized policy statements from the secretariat. I hope we can look forward to something substantial, but I doubt it.

That is all I wanted to say on this.

Mr. Sweeney: I have two quick supplements. Is there any provision at this point in terms of your policy development to consider particularly the needs of single-parent mothers who work odd shifts? This is a problem in my community and I suspect it probably is in other areas too. It is not as much of a problem where there are two parents.

I suspect you know, Mr. Minister, that single-parent mothers sometimes have difficulty getting jobs at their time choice. Sometimes they have to take what they can get. Frequently that is shift work, which creates a particular problem with respect to finding day care on other than day shifts. Do you have a provision for that?

Hon. Mr. Norton: There is nothing in our present policy that would prevent that.

Mr. Sweeney: I do not mean to prevent it. Is there anything to encourage it, or to provide incentives to make more of it available?

Hon. Mr. Norton: We are moving to the service planning approach, which in this case would be with the municipalities. It would be our hope that a more comprehensive planning of the services needed in the community would lead to more flexible hours for day care as you have described.

Mr. Sweeney: Is this coming up in this service planning document we are going to look at some time later? Is that what you are referring to?

Judge Thomson: The service planning concept, which is now being introduced in children's aid societies, enables one to sit down and plan around those kinds of goals. I think what you will be hearing about service planning as an approach would be relevant to dealing with the kind of issue you have raised, Mr. Sweeney.

Mr. Sweeney: All right.

What mechanism do you have in place to deal with children in nonlicensed spaces who may be getting not just inadequate care but care that could actually mean the children would be at risk? I do not necessarily mean that they are being beaten or abused in that sense, but that the care is of such low quality the children's growth and personality development is actually being stunted because of it.

Do you have something in place to monitor that?

4:20 p.m.

Hon. Mr. Norton: The government does not have any system for monitoring that at the moment. We rely on the contact of the parent to monitor that. But that is one area we will be attempting to address in the policy paper that will be coming out this fall, to try to provide for some means of ensuring that those kinds of situations are eliminated or at least minimized.

Mr. Sweeney: I understand that in Toronto there have been a couple of new day care centres that are in great risk of not being able to continue because of under-use. The one I am thinking of in particular is the new one at city hall, which I think has spaces for 50 children and at the moment has about 26 or 27. It has been used by some as an example of: "Where's the need? Here you have all these empty spaces."

The fact is that when the director of that centre surveyed surrounding day care centres for people looking for day care, it was found that in every case people were looking for subsidized space.

Do you provide any assistance at all when a new centre opens up? It is going to be somewhat difficult for them to survive solely on what they charge, which I believe is \$15 a day. There are not many people who can afford that.

Hon. Mr. Norton: The planning that ought to go into opening a new centre, especially the one you have just cited, is at the municipal level. We fund the municipalities for day care services. They in turn, either through establishing centres of their own or through purchasing that service from private agencies, allocate the resources they have available among the centres. We do not directly get involved in funding a particular centre.

Mr. Sweeney: Then there is no mechanism at the ministry level to assist a new centre of that nature.

Hon. Mr. Norton: No. The appropriate thing for the municipality to do in a case like that is to look at their space allocation—for next year, for example—and determine how many subsidized spaces they would allocate to that centre. I do not think we fund any centres directly.

Judge Thomson: We do in some situations, those where you have established what is called an "approved corporation." The bulk of them are not directly funded by us.

Mr. Sweeney: What does "approved corporation" mean? I understand a corporation is running this one. It is not a Metro centre per se.

Judge Thomson: It is possible for a nonprofit corporation to be established and approved as a

day care centre and then to have funds flow directly from the ministry. In some cases that is done in an area where there is no, or very little, municipal involvement in day care.

In this particular case the municipality itself decided to establish the centre. It would not be one that would be approved as an approved corporation; it would simply be licensed as a day care centre. They would make the decision regarding the allocation of subsidy dollars to that centre.

Mr. R. F. Johnston: Ross has covered most of the things I wanted to talk about. As usual, when we hear there are forthcoming papers it is very hard to ask very specific questions on what the ministry is up to and where it is going. One is caught betwixt and between. One cannot actively attack exactly what has been going on and the lack of initiative in day care because you have something coming up. But one does not know what is coming up, and so cannot get at that without fishing all the time. But there are a couple of things I want to ask.

Lately your approach to dealing with the day care thing has been to turn it back, in Metro and in Ottawa, to their approach to administering the program at the local level. Under your criteria, they are not showing good management practices at the local level. They should look after the greatest need—those who require subsidized space—and should not be expanding inordinately and so on.

I would be interested to know how you go about making that analysis.

Hon. Mr. Norton: Which analysis is that?

Mr. R. F. Johnston: The analysis of what these localities are doing. Who do you have on staff checking over the various large municipalities specifically? Do you have somebody who looks into Metro, or do you have several people? Do you have a team of people who review the budget of Metro? How does that operate?

Judge Thomson: In Metro's case the budget would be reviewed by our area office under the leadership of the area manager. There is a regional day care consultant available in each region. In Toronto's case it is Marg Engel.

Mr. R. F. Johnston: How big is the region?

Judge Thomson: The central region itself covers all of Metro, York and Peel, and up into Barrie. The total region is divided into two areas, one of which is Metro itself. The budgeting in this case would be handled on the provincial side primarily by Bruce Heath, along with the financial officer in the area.

Mr. R. F. Johnston: What do they do and

when do they do it? One of the things you found out in late August, when the crunch was being felt because of the delay mechanisms in the whole procedure, was that they had indeed oversubscribed, to use your term, in January. You then find out in September—because they presumed the historical precedents would hold, and that there would be another group moving out of day care during the summer—they in fact had oversubscribed again during the summer.

I want to know how you tie into that process in order to find that out, and just what the ministry officials do in this area.

Judge Thomson: In general terms—taking this year—the ministry advises the municipality regarding the general overall increase for the year; that for all programs this year was eight per cent. That was advised, I think, at the end of November or the beginning of December of last year. New spaces were not allocated at that time.

Then the ministry waits for a budget to be received from the municipality. It has authority to approve or not approve that budget. In this case the first proposal regarding budget came in from the municipality around April.

Mr. R. F. Johnston: Is that the usual time?

Judge Thomson: I think it is roughly close. The municipalities usually do not get close to finalizing their allocations until around that time. They then submit their budget and at that point negotiations begin between the province and the municipality.

In general I think it could be said the approach that was taken in past years—we amended the act only about a year and a half ago to talk about a provincial formal approval of the budget—was that the municipality developed its budget and managed according to that budget with only limited overview by the province of items in that budget.

In this particular year it has been much more extensive because what has been submitted has been extensive in terms more of requests than of resources, so problems started to arise which caused us to be involved in individual line-by-line items of the municipality's budget. Normally we are not that extensively involved. We allocate a percentage increase for the budget plus a sum of money relating to new spaces, and then they manage.

Mr. R. F. Johnston: When does that new space open?

Judge Thomson: It can vary each year. In this particular year—in a sense there is some dispute about the actual space figure itself—there was some general indication in April, but no specific

figure. But the actual spaces themselves open, I would say, about July this year. That is late compared to previous years.

4:30 p.m.

Mr. R. F. Johnston: That is for the year 1980?

Judge Thomson: That is for the year 1980.

Mr. R. F. Johnston: Which the Metropolitan government, in trying to respond to what they see is a dramatic need in terms of day care, have to start initiating at the beginning of their year, which I presume is the beginning of 1980. Is that right?

Judge Thomson: That is correct.

Mr. R. F. Johnston: Then I have real problems in understanding how you could turn around and throw any onus on them in trying to respond to the reality of the situation they are dealing with, when you do not get into the process until July and then second guess them in terms of where they think they have to go because of the reality they have to meet in Metro.

It seems to me some of them are working on a different philosophy from yours, which you expressed in your news release and also in your letter to me that I received the day before the rally here. In the bottom paragraph of page one—I do not have it here but I remember it vividly—you talked about how most parents, the vast majority of parents, as I recall, are absolutely capable of going out and finding themselves adequate day care and it is just a few who have problems with it and need subsidy.

I wish I had the news release here because it places group day care at the very end of the kinds of things they should be after; there are family friends, neighbours, private day care and group day care. It really showed, in my view, a very low priority in terms of what is done and a very different philosophy from ours and a different reality from that the Metropolitan Toronto government is trying to respond to.

I find it passing strange that we get the debate on what is going on at Metro in terms of the way they have underbudgeted, if you will, or oversubscribed during this year, instead of how your system of budgeting is just a total mess. It bears no relation to the reality of what a deliverer of service has to deal with.

Hon. Mr. Norton: There is and has always been a problem, I think, because of the different fiscal years between the municipalities and the provincial government, not just in this particular area but in other areas as well. However, the municipalities normally would not have their budget finalized by January; they would probably be three or four months into their fiscal year before they would have their budget finalized.

So in fact the gap is not as great as it might appear, because usually they have done some of the preliminary work prior to the end of the year.

Of course, in an election year like this they would have a new council coming in late in the year. But the gap is not as great in terms of time as it might appear, although it still is a problem, there is no question about it.

The municipalities would normally not be in a position to open new spaces and so on in January because they would normally not know what their own budget was going to be. We are trying each year to improve our performance, with some frustration.

Mr. R. F. Johnston: Do you have adequate staff to deal with it?

Hon. Mr. Norton: You mean adequate numbers. Obviously we have adequate staff, our staff is more than adequate, but the numbers may at times leave something—

Mr. R. F. Johnston: If you do not have the numbers, then one person cannot be adequate to do the job. Do you have adequate staff? Your people are looking into what you do at the moment in reviewing budgets for that whole area—Toronto, Peel, up to Barrie. That is a lot of kids, a lot in need, a lot of day care.

Is part of the problem of communication the fact that you do not have staff to deal with it, or do you have adequate staff to deal with it?

Hon. Mr. Norton: I do not think it is. Certainly our staff are taxed, there is no question about it. I would be less than honest if I did not say that we could use more staff in some areas, but I do not think the problem you are citing is related really to that. I do not think that is a serious problem in, as you said, the communication area.

Mr. R. F. Johnston: In previous years I have heard it said that you did not have much of a budget overview of what was going on. This year you have tried more. There obviously are major problems in that no one seemed to know what the difficulty was until mid-September and that is a problem.

I am wondering where your staff fits into that whole scene in terms of you, as the minister responsible for funding for adequate day care, having your finger on what is going on.

Hon. Mr. Norton: I think even if we had additional staff we would not be placing them in municipal offices watching the day-to-day operations. That clearly is the responsibility of the elected, responsible politicians who are representatives of the people, the electorate. I would not see it as the role of the staff of my

ministry to monitor on a daily basis, other than receiving from the municipality the reports they submit to us.

Mr. R. F. Johnston: For instance, today we are trying to determine whether or not Metro operates on two different kinds of budgets in the provision of care within their own funded services and the other operators, and we do not seem to know that. Have the ministry officials not informed you as to whether they have a division in the way they are operating?

We are talking of the subsidized spaces in the private day care which may be dropped, because they are not dropping them from the directly run Metro services. Do they have two different budgets? Do you know that?

Judge Thomson: We do know the number of subsidized spaces they have and we did know their decision in September, as a result of the problems they were in, to not increase the number of subsidized spaces, to hold at the level they were at in September. We know the number they were at at that time, so I think we do know the amount of dollars they had in the various areas. That is not a problem.

I think I should point out we are in the midst of discussions with them right now on ways to back up the budgeting process as much as possible, both for their benefit and ours. They have established a committee we have appeared in front of to talk about some of the administrative practices we could be involved in and we have exchanged information to know what is happening. This particular year, I would say by around April, they knew within a very small number the number of new spaces we were talking about.

The difficulty we were into was not so much the spaces issue but the basic increase they were asking for, which was substantially more than eight per cent. It was eight per cent we had announced and we told them before they even started their financial year and the discussions after April—

Mr. R. F. Johnston: Which you have adjusted to 14 per cent in the budget now.

Judge Thomson: Including the new spaces they got.

Hon. Mr. Norton: There was a lot of confusion over those percentages, again. It seems to me last year we had a whole presentation on that.

Mr. McClellan: Starting with the Treasurer (Mr. F. S. Miller) who rounded off the figures last year.

Hon. Mr. Norton: Yes, rounded up in one place and down in another and came up with a

different percentage. But we were correct; I wish he had been right.

The eight per cent figure was never intended to be the total increase to Metro. That was something of a misinterpretation by someone at some point, and I think that is what gave rise to the alarming headlines about having to close 1,200 spaces or something. That was never true.

At that point we were a matter of just days away from finalizing the Metro budget. When one added in the new spaces they were to receive, it brought the percentage up to something just under 12 per cent, I think. Then there were a couple of additional items we agreed to include. The 14 per cent is probably very close to where we would have ended up in this year's budget if there had never been any alarming headline. I think people thought we increased the budget at that point because of the uproar.

Mr. R. F. Johnston: The headlines were not caused out of the blue. People who were involved in the article were people who were, I presume, negotiating with you, or your representatives.

4:40 p.m.

Hon. Mr. Norton: No, they were not people who were negotiating with us.

Mr. R. F. Johnston: Nothing was done to deny it.

Hon. Mr. Norton: The denials are always very difficult to hear when everyone is in a state of alarm at a headline like that. I think I responded as quickly as I could indicating it was not true. I suppose at that time it was difficult for people, in the state of concern they had, to hear that or, if they heard it, to believe it.

How that 1,200 figure was calculated I do not know, but I think whoever said that was focusing on what they knew to be the need to maintain the number of spaces Metro had open, or at least they believed was necessary, and the eight per cent, not the 14 per cent.

I have forgotten the name of the particular group of individuals who publicly stated at the time if they got 14 per cent that is what would be required to maintain the spaces; that was neither I nor Metro. I think that was one of the advocacy groups that had been engaged in discussion with Metro.

Mr. R. F. Johnston: I want to abandon the circle that we are going in; I am not sure who is chasing whom at the moment. I want to ask you one question only about your long-term plan, your policy paper that is going to be coming forward.

I am interested in an expansion in infant child care. I think it is vital. When we had our

discussion last year you were telling me that, having talked to a number of people, various kinds of experts from the United States and others, you were not convinced that group care for infants was necessarily a positive thing for children, you really were not planning on moving very far in that area at the time. I am hoping I am going to hear that you are planning an expansion of that kind of facility, infant day care, in places like Metro. Are you?

Hon. Mr. Norton: I was just going to say you had made a statement and I heard it. I think you will have to wait for the paper to see that.

Mr. R. F. Johnston: Are you looking at that?

Hon. Mr. Norton: We have been looking at all aspects of providing care to children.

Mr. R. F. Johnston: I give in; I concede.

Mr. McClellan: We give up. We will look forward to the report, though. I assume the report on subsidized places in Metro will tell us exactly how many spaces—

Hon. Mr. Norton: In terms of what we were discussing earlier today and just what is happening, we will certainly try to find out what is going on there.

Judge Thomson: I wonder, Mr. Chairman, if I could just make one point in relation to that earlier issue. I think what Metro decided to do was, recognizing it was faced with a number of basic fixed costs in its own direct-run day care centres, that when they were seeing the crunch—

Mr. McClellan: Did you say crunch?

Judge Thomson: Yes, I did. When they were faced with the issue of the cash problem they were into because of the things they were not aware of in the summer, when they were talking about potential freezes and so on, one thing they decided to do was allow for the possibility of getting enrolment up as high as possible in their direct-run nurseries in order to deal with very pressing cases if, in fact, that turned out to be the case.

I think because they were faced with the basic costs in those centres anyway, that is one of the reasons there was some perception of differential treatment of their own direct nurseries and the private ones that they purchased.

Mr. McClellan: As I say, we will wait for the report. I will leave day care with exactly the same sense of total frustration as I have in the last five years.

I wanted to ask some questions about the new budgeting system for children's aid societies. We do not have a great deal of time and there are a couple of things I would like to zero in on rather than try to cover the whole waterfront. A

lot of the material, particularly as it relates to expectations placed upon the children's aid societies, is remarkably clear. There is no ambiguity about what the children's aid societies are supposed to do under the new service plan system.

Mr. Ozerkevich was kind enough to send me a copy of the Service Plans and Children's Aid Societies document. The subtitle is, *How All the Funding Parts Fit Together*. I found that helpful.

You might check your mailing list because periodically someone seems to erase the critics' names from the mailing lists. That seems to have happened again, so I am not in receipt of some things I assume I normally would be—

Hon. Mr. Norton: I apologize. That is an oversight that should not occur, but I do not think it was deliberate.

Mr. McClellan: It is cyclical. I understand what you are saying, but it happens. There is some maniac in there who just clips everything off periodically.

The thing I do not understand is the child-population-based allocation system. That is what I would like to have some discussion of this afternoon.

By way of starting, so I am straight in my own mind, there are a number of things that were supposed to be done by the end of October—why is everybody smiling?—and I am referring to page 10 of Mr. Ozerkevich's report, *The Child-Population-Based Allocation System, a Report Based on the Examination of Data Sources*. Is that completed and is the report available?

Mr. Ozerkevich: Yes. It is completed. The report is going back to the steering committee for final verification. I can speak to what is in the report if you like.

Mr. McClellan: Maybe I could first go through it, find out what is available and then start back at the beginning.

The child population counts by CAS catchment area: That was to be completed by mid-September. Has that been completed?

Mr. Ozerkevich: That is done and is available.

Mr. McClellan: The social indicators.

Mr. Ozerkevich: Done and available.

Mr. McClellan: The first approximation of allocations—late September.

Mr. Ozerkevich: That is part of the final report that was going to the committee this week.

Mr. McClellan: The final allocation proportions for each society, to be available late October.

Mr. Ozerkevich: That is part of the recommendations in the report.

Mr. McClellan: Okay.

I think what would be helpful to me is if someone could take us through the child-population-based allocation system because it is remarkably obscure in the document. Everything else is spelled out with great clarity, with a wealth of material in appendices, forms, et cetera, but the key item, which is how the ministry is going to formulate its funding formula for children's aid societies in the future, is dealt with in four curt paragraphs.

Judge Thomson: Perhaps just before Mr. Ozerkevich starts I could say that the documents that are done, along with the final report, are going to be presented to the management committee of the division and then brought to the senior management of the ministry in the next couple of weeks. After that we would be in a position to release it.

It has not been brought to the minister himself at this point and I do not think we can speak for the public nature of the document until we have gone through that.

Hon. Mr. Norton: Maybe we should all get together with you, Mr. McClellan, and all be briefed at the same time because we have not seen it ourselves.

Mr. McClellan: All right.

Tell me what you can tell me.

Mr. Ozerkevich: I will start by saying it is not as complicated as some people like to make out because of the statistical nature of it.

4:50 p.m.

The minister announced in December that the ministry would engage in an allocation formula that would tie the number of new dollars being made available to children's aid societies to the number of children in the area served by that society, with a couple of caveats: First, we would only be allocating the new moneys made available to us and not attempting to manipulate their bases; second, we would try to weight or adjust those population figures to take into account certain social, economic and geographic factors.

Having announced that, during the early months of this year and right on through to the present time a joint committee made up of representatives from the Ontario Association of Children's Aid Societies, the Association of Municipalities of Ontario, the Association of Counties and Regions of Ontario and the Ontario Municipal Social Services' Association, along with the ministry staff, have been working together to try to identify the factors and the

population bases. To this point the committee has completed some general work with some recommendations that are going back to it this week. What I would like to do is describe generally what they found.

First, we have come up with a more accurate and up-to-date count of the number of children in each given area; that is by going back to the family allowance cheques the federal government produces. As a result of that, our counts of children in any given area in the province are no older than six months old, so we have an improved method of identifying the numbers.

The second thing we did was take a relationship between the budgets in 1980 as they were allocated with respect to the size of the child population, using those new population figures. We found we could explain about 83 per cent of the differences between societies on the basis of the size of the child population alone.

In addition to that, we took the remaining 17 or 18 per cent we could not explain and tried to see if we could explain more of the differences on the basis of a number of indicators or variables. What we found was we can explain almost all of that remaining variance on the basis of 10 factors. These included such things as alcoholism rates, suicide rates, Criminal Code offences in the area and so on.

As a result, we have a situation that will be included in the final report that there is a good deal of mathematical rationale anyway in terms of the relative sizes of the budgets that societies have.

The committee is now struggling with recommendations back to the ministry in terms of how the moneys would be allocated with this new formula, because it still creates some quite interesting differences in the size of the allocation, given whatever final amount was made available to government. We now have a formula that explains almost all the differences between the societies.

Having done that, it is possible to recommend back to the ministry a variety of approaches in terms of taking new money and allocating it out on the basis of the size of the child population. The formula in any scenario being recommended would be something that would involve using that split, that size of the child population, taking into account the size of the problem, if you will—it is picked up by those social indicators—and allocating the dollars in accordance with that. That will create a range in allocation depending on the amount of the new moneys that are made available.

Mr. McClellan: I do not understand how you are arriving at the base budget.

Mr. Ozerkevich: The base budget is protected. As we said in the paper, the 1980 base, however established, is protected. Should the societies achieve savings this year, for example, they are allowed to keep those savings and to speak to those savings in their service plans in the subsequent year.

The new moneys made available through this will be part of their base budget. It will have to be addressed in the context of the service plan.

Mr. McClellan: Is it anticipated that at some point in the future there will be a switchover to an allocation system entirely based on your new formula? Or is it based in perpetuity?

Mr. Ozerkevich: The white paper announced our long-term intention was to move all the children's services on to a similar allocation formula. Of course, one of the problems we have is that until the provincial-municipal grants issue is resolved, one cannot go much further in that scenario because some of the other programs are not cost-shared at the municipal level.

McClellan: What about the question of dealing with inequities in the base structure?

Mr. Ozerkevich: When you see the new approach to funding, you have to take a look at both the allocation method and the service plan together. Whatever formula one creates will create a differential impact, I guess, on the agency that receives it. We think the child population formula will be the most equitable or fairest way of allocating.

Even after that the agency has to deal with what the impact will be on it through the service plan. In some cases, that may mean the area office beginning to make some adjustments in accordance with the direction the agency wants to go or the way the ministry wants it to go on the other side. It may mean developing some new service patterns or service improvements.

Mr. McClellan: Let me be more explicit. We started off with a child welfare system that was basically a voluntary system. They raised money through voluntary donations from the local communities. A community like Metro Toronto was able to afford a more expensive service than a community like Sault Ste. Marie, all things being equal.

That situation of unequal resources has been perpetuated since the 1965 Child Welfare Act, right up to date. There have been marginal attempts to offset this, but they have been relatively slow. There has never been a major attempt to establish uniformity of resources to the societies right across the province. I am curious to know whether this formula, through a

combination of the base and the population allocation system, will deal with that or not.

Mr. Ozerkevich: Yes, I think it will.

Mr. McClellan: How?

Mr. Ozerkevich: First of all, it underscores that there is more similarity or comparability than many of us thought in the allocations to individual societies. If you accept the premise of the weightings or adjustments made to take into account those social and economic factors, many of the higher or richer per-capita fundings we find when we look at the spread across the societies can be explained by taking a look at the size of those social indicators being addressed in the formula.

That spreads the inequities, if you will, a little less widely than one would perhaps conclude from looking at the raw information. However, depending on the size of the allocation made available under that formula, the remaining inequities could be addressed in fairly short shrift because, in any of the options on that, there is quite a range of new moneys that would be made available by way of the formula.

Judge Thomson: As I understand it the goal is to do it through the increase each year over and above base, rather than trying to make major shifts in a sudden way in base, which would have a real impact upon situations.

Mr. McClellan: The formula will be a way of doing what? The formula will be a way of distributing whatever money the cabinet allocates.

Mr. Ozerkevich: Yes.

Mr. McClellan: That is not going to be much help.

Mr. Ozerkevich: It is a more equitable way. There is no way to my knowledge of measuring things called absolute need. We looked at the experience in the United States where they try to do it. They just end up in a dead end.

Mr. Carman: If I might comment on Mr. McClellan's remark about not being much help, I think what has to be recognized is that any economic adjustment that would normally be provided to a society, would not be provided if its child-based allocation calculation indicated it ought to be cut. That can represent a sizeable proportion of dollars.

In actual fact, it reflects some degree of shift of resources among the societies as a result of that kind of decision.

5 p.m.

I think the only way of meeting the kind of proposal you seem to be making would be to have a capacity to be making 20 or 25 per cent

reallocations of resources among societies, which would have an enormous impact on the long-term commitments that have been made to staff in various societies. I am sure you are not recommending that kind of a discontinuity be applied.

I still think there is a fairly sizeable adjustment process here. It may take longer than one or two years to come to a harmonized allocation between the calculations that are made under the child-based allocation system and what actually happens in the first year or two. In our view it is better to have an evolutionary than a revolutionary system.

Mr. Ozerkevich: I think it is still important to point out the size of the redistribution or the reallocation is less than I would have anticipated before going into the exercise.

Mr. McClellan: "We see now through a glass darkly. But in a little while—"

We are behind schedule. How long are we going to be seeing through a glass darkly? I am thinking of the poor children's aid societies that must be in a state of absolute mystification.

The final report will be available when? We were supposed to have a detailed timetable for the 1981 estimate process by September 29, 1980—the master timetable.

Mr. Ozerkevich: That is done, the detailed timetable. The document you have is our attempt to get as much information out to the societies as early as possible. We have been augmenting or supplementing it through the last two months with additional materials as they have been available.

Mr. McClellan: Presumably they were going to have approximation of allocations before they got the detailed timetables. Am I wrong?

Mr. Ozerkevich: Part of our problem is the speed with which the committee I spoke about has been able to work through what is a pretty technical area.

Mr. McClellan: When do you expect to have it?

Mr. Ozerkevich: Our report will be going back to the committee for its final verification this week. By the end of next week I should have it in our own divisional management committee.

Mr. McClellan: Then where does it have to go? Who approves it finally?

Mr. Ozerkevich: It would be the minister.

Mr. McClellan: I don't envy you your task. If you could make available to me the material that is ready now, and share with me the material as it becomes approved, I would be

grateful. The other we can't pursue very much beyond this.

Mr. Ozerkevich: It is worth pointing out that while the the formula itself is being developed, through the work we have been doing with them the societies have been developing their service plans in accordance with the document you have there.

At this point we have completed the training in all our northern societies and two of them have already submitted their first draft service plans with some fairly exciting and dramatic results and changes. The Peel children's aid society, in advance of the completion of the service plan formal document, have also done theirs. With some fairly innovative changes in programming and reallocation of services, they have been able to achieve some dramatic savings which they have been able to reallocate into some other program areas.

Mr. McClellan: That is the next thing I wanted to raise and you have led into it. I am referring to appendix F: "Cost-saving suggestions and the questions you should be asking yourself about your society." I don't understand this. Initially it caused me to scream, but I think that perhaps I was not interpreting it correctly—I hope.

These are the cost-saving suggestions developed by my favourite children's aid society, the Children's Aid Society of Ottawa-Carleton. After the identification of the factors in the process, there follows a whole series of options, four and a half pages of them, and these are followed by something called "decision trees."

I can't make any sense out of this at all. Could somebody explain to me what this almost infinite list of cost-cutting suggestions on pages three, four and five represents?

Judge Thomson: Mr. Chairman, I could speak to that because when I read it at first I had the same reaction you did.

Mr. McClellan: What is the exercise all about?

Judge Thomson: The children's aid society in Ottawa, I think really on their own, decided at some point earlier this year to sit down and bring all their staff at various levels in and say, "If we are looking for ways in which we can find funds for other purposes, for things we could do in the agency that would save resources, which under the new funding approach will be ours to make other use of, what kinds of things would we do?"

They went through the exercise and listed all sorts of things, including everything they looked at, some of which I initially reacted to because I

thought for a moment they were actually proposing to do some of those things.

Mr. McClellan: That was my impression.

Judge Thomson: When you get to the end, they put all that stuff on the table and say they obviously will not do a large number of those things, but it was important to list everything one could think of. At the end they reject a number of them and pick some which they consider to be feasible.

Mr. McClellan: This is where I get lost. Firstly, it says, "Development analysis of options to deal with spending restraints." I suppose that is another way of saying what you said. Then they go through to suggestions about eliminating virtually all of their programs.

Mr. R. F. Johnston: "Closing down." Is that one of the options that are listed?

Mr. McClellan: Everything is there.

Mr. Ozerkevich: We included it for the very good reason that the society was the first one, to our knowledge, that had gone through the formal exercise internally of looking at—

Mr. McClellan: I can well believe that society going through this particular exercise. So does my favourite society.

Where do we get to the section of the report which deals with their decision-making?

Mr. Ozerkevich: It is right at the end of that section, where they list a number of things they have proceeded with.

Mr. McClellan: If you have the report, Mr. Ozerkevich, on page seven of appendix F, decision trees, "Pressure on ministry, yes" and "no." What does that mean? There is an inherent logic in the responses opposite yes or no.

Mr. Ozerkevich: My understanding is that the yes and no referred to something they would make a decision on by circling the yes or the no.

Mr. McClellan: But where does it tell you what they decided?

Mr. Ozerkevich: What they decided is listed in the recommendations on page nine.

That society, by the way, has managed to come back and live virtually within budget; they are just slightly overspent at this point. As a result of many of these things they have brought themselves within budget.

Mr. McClellan: I can believe that.

Mr. Ozerkevich: We included that because one way of looking at a society's budget is to identify moneys that might be spent more efficiently or more economically. We included a set of other questions following that, which identify and zero in on some perhaps larger or

more fundamental issues, such as service alternatives that might be tried, for example.

So the second half of that appendix deals with questions like exploring alternatives for service, alternatives dealing with residential care and reducing it as opposed to increasing it.

5:10 p.m.

Mr. McClellan: The problem is they have explored all kinds of things they could eliminate, including, as a random example, dental care. They seem to have a problem with taxis and efficiency. Every second recommendation has to do with less use of taxis. But that is just by the by.

There is also appointing people at lower level than scale, keeping—don't tell me what that is; I don't want to know what that is.

Hon. Mr. Norton: My deputy just drew a decision tree.

Mr. McClellan: Really, I am quite seriously concerned about the kind of discussion this document represents. We have enough trouble with this particular society.

When I read on page seven some discussion about reviewing the "joint francophone project," for example, that causes me considerable alarm. When I read about them talking about the increased use of foster homes as an alternative to other kinds of care, then I remember the problem this agency has. It is, quite simply, that they are incapable of serving the francophone population through their foster-care program, and this has led to tragedies. I really wonder what is going on.

Mr. Barnes: Could I respond briefly to this?

What we are looking at here is the use of what really should be a fairly simple management tool. It really is looking at what you are spending money on, what your programs consist of and analysing them in the context of your budget and what is available to you. That is what any decent firm, any decent organization has to do if it is going to plan and budget during the course of the year.

You have to ask all the questions rather than just some you feel comfortable asking if you are going to do a proper analysis. It is called anything from zero-based budgeting to straight-forward budgeting; call it what you will.

I think what we have here is an example of raising all the questions, if you like, to knock a lot of them down and flatly reject them—the sort of thing you are talking about around francophones. I think it is right that they should be objective. It is, if you like, a checklist of the activities taking place: "Are we spending money correctly in those areas? Are we in fact spending

money effectively in those areas?" If you can start asking the sort of questions which say, "Well, yes, we support the program, but are we spending the money as well as we could be in that area?" I think that is a damned good question for any organization to ask.

I think it is precisely that sort of exercise this has attempted to get at. It encourages me to see social agencies starting to take something of a management approach, at least to one level, in looking at what they are doing, because I think that sort of analysis is good analysis. What encouraged me about the Ottawa one is it involved a significant number of the levels of staff in that discussion. It was not just the top imposing on the bottom. There was an overall look which has had a beneficial effect on that society.

Is that a fair point now?

Mr. Ozerkevich: We included it for that reason; to show them the process, to show the other societies the process and also the conclusion. When that society reaches the end of the exercise described there, it concludes it is possible to live within its 1980 allocation without any drastic cuts or changes in service. For that reason we thought it was a very encouraging kind of exercise. Otherwise, they were looking at an overexpenditure. It went through some areas of efficiency and economy that they could achieve without reducing services.

It is an exercise, especially for the size of the budget that was involved, that any agency, social services or otherwise, ought to go through on a regular basis.

Judge Thomson: I might say, in support of Mr. McClellan, that when one first looks at it you have that first response, just by looking at some of those issues, "Are they really actually thinking of doing some of those things?" It was only when one gets to the end and realizes they did not do that, that one felt it actually was an exercise worth doing and was a good one to demonstrate to other organizations.

Mr. McClellan: I can understand the exercise, but I cannot perhaps understand the listing of the yes-no factors.

Nowhere does it appear in the "no" factors about, for example, reducing child-care expenditures. Nowhere does it say in the list of arguments against the thing that this is liable to interfere with their capacity to fulfil their mandate under the Child Welfare Act. That does not seem to enter into the discussion and I remain concerned because of the recommendations themselves. They have listed all of these Draconian possibilities; every Draconian possibility it is possible to imagine is listed.

Then there are their recommendations: "Instruct the executive director to strive for the greatest possible degree of restraint in spending in areas as described and reflected in 1980 estimates." Then secondly, "Authorize executive director to explore and experiment with service modifications described with minimum possible undesirable impact on service and without any layoffs." That sounds like a blank cheque for experimentation with the previous checklist of Draconian possibilities.

Mr. Ozerkevich: I would like to add that in addition to this exercise this agency has gone through—which I think we have said is encouraging because of the process, not necessarily because some of the options they laid out; in doing this kind of exercise one looks at all the alternatives—they have asked us to work with them.

We, as a ministry, will be spending in the next six weeks somewhere in the neighbourhood of about 60 days within the agency helping them identify some service alternatives and service changes they might engage in as well. It is at their request that we will be working with them and their society and that will be encapsulated in the final service plan.

Mr. McClellan: That will be a public plan?

Mr. Ozerkevich: A public plan.

Judge Thomson: I think it is true to say, though, that when the executive director was given the authority he was, at the bottom of page nine, it was not a free hand to implement some of the things described earlier in the paper. It was to do those things which had been identified by the group as ones that could be done without, in fact, affecting service.

Mr. McClellan: Where are they?

Judge Thomson: The things that are not there are those they specifically authorize. I think we could get for you an outline of the things which the executive director was authorized to do.

Mr. R. F. Johnston: Maybe it would be a good idea if you inserted it before their recommendations.

Judge Thomson: This was their document.

Mr. McClellan: This was supposed to be a guideline document and it encourages—we do not want to push it to the wall but I think that there are some real shortcomings in the material laid out there.

Mr. Ozerkevich: I think if I could be given an opportunity to give you what they have in fact done, you will find that agency is implementing a very encouraging set of follow-through

recommendations. I will be up there in the next day or so and will bring a document to you.

We included as the other half of that appendix a bunch of other questions which we thought a society ought to be asking itself over and above the basic exercises that one goes through.

Mr. McClellan: Yes, right. That appeared to be a quite straightforward and useful set of guidelines around management technique. That was the area that identified with the area of concern that I had.

As I said, this year, like every other year, we are in process and most of the questions simply cannot be answered until the next steps are taken and the circle continues to turn.

Hon. Mr. Norton: A further manifestation of the dynamic nature of this ministry.

Mr. McClellan: Or the circular nature of the ministry.

Hon. Mr. Norton: Not circular, there are certain linear aspects to it.

Mr. McClellan: Blessed are those who go around and around.

Mr. Watson: They shall be known as big wheels.

Mr. McClellan: I do not have any other questions.

I will look forward to receiving the material and the answers to all of the questions that have been recorded in Hansard during the course of the estimates and thank the minister and his

staff for their co-operation during these estimates.

Vote 2903 agreed to.

Mr. Chairman: This completes the estimates of the Ministry of Community and Social Services. Thank you very much.

Hon. Mr. Norton: Thank you very much, Mr. Chairman, and members of the committee.

I was just going to suggest, Ross, that considering your attempts at being prophetic in your opening remarks as to whether you and I might be around the next time, maybe we should request now that we get our estimates on for next year early in the spring, something like that, so we would have one more crack at it.

Mr. McClellan: We will be around.

What are we doing tomorrow?

Mr. Chairman: I should tell the committee that we do not have a sitting tomorrow or on Wednesday, so it is stand-down time for the committee. We just could not schedule the work. We have lots of work but we just could not get the appropriate ministries here.

Mr. R. F. Johnston: Is this an indefinite layoff?

Mr. Chairman: It is definitely off. The next work load we have is on Wednesday, November 12. The House does not sit on November 10, it does not sit on November 11, so we start the Labour estimates on November 12.

The committee adjourned at 5:22 p.m.

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 Johnston, R. F. (Scarborough West NDP)
 McClellan, R. (Bellwoods NDP)
 Norton, Hon. K.; Minister of Community and Social Services (Kingston and the Islands PC)
 Sweeney, J. (Kitchener-Wilmot L)
 Watson, A. N. (Chatham-Kent PC)

From the Ministry of Community and Social Services:

Barnes, P., Executive Director, Operations, Children's Services Division
 Carman, R. D., Deputy Minister
 Ozerkevich, M., Director, Standards and Information Unit
 Thomson, Judge G., Associate Deputy Minister, Children's Services Division



No. S-37

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development
Estimates, Ministry of Labour

Fourth Session, 31st Parliament
Wednesday, November 12, 1980

Speaker: Honourable John E. Stokes
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

WEDNESDAY, NOVEMBER 12, 1980

The committee met at 1:12 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF LABOUR

Mr. Chairman: I will call the committee to order. As we are all aware, the plant shutdowns committee is meeting concurrently with this one and this is causing some considerable time pressures on members. We had originally planned to meet from one until six today, but Mr. Mackenzie indicated to me this was causing considerable problems with him and, I am sure, with others.

What we have agreed to do is deal with the leadoff statements and to pass the first vote and then adjourn, no matter what time it happens to be. I hope that is acceptable to the committee. Agreed?

Mr. Mackenzie: I will definitely agree to it. I do not know whether or not our people were responsible as well but I want to express my dissatisfaction with scheduling the five hours the first day, simply because that could take us into several of the estimates votes. I knew nothing about it and some of our people who would want to respond to some of those matters are not here. There is just no way we could do it.

Hon. Mr. Elgie: Frankly, I did not know until this morning either.

Mr. Mackenzie: The two-and-a-half-hour segments were all I was aware of.

Hon. Mr. Elgie: I am not sure where it came from actually. It did not come from us.

Mr. Mackenzie: I did not know about it; maybe I should have, but I did not, and that is what really threw me. Not that we are going to sit the first segment, but the five hours knocked me for a loop, I will tell you.

Hon. Mr. Elgie: Just so there is no misunderstanding, it had nothing to do with me, because I first heard about it this morning.

Mr. Chairman: I apologize if we have had a breakdown in communication. Anyway, perhaps we can talk about the possibility of next week. Is it acceptable to have a five-hour segment a week from today?

Mr. Mackenzie: Knowing a week in advance

makes it a little easier. I am going to have to be sure that some of my people who are really interested in two or three of the votes are available. I think that can be arranged. I am saying that without talking to them.

What threw me was finding out late this morning that I had five hours scheduled here and we just would not be able to do it.

Mr. Chairman: We have had a terrible time with scheduling on this committee. Actually, in the ordinary course of events, these estimates are not supposed to come to this committee at all. They were referred here because at the time, apparently, we had more time available. Since that has happened, we had the Chiropody Act, the health referral and Bill Pr31 with which to deal, and we are into a real time problem. That is where all of this pressure started to build up and that is why these arrangements have been ongoing almost on a day-to-day basis.

I apologize if there has been a breakdown in communication because we have had some problems trying to sort out exactly when we would sit and how long we would sit. I apologize to the members, to the minister and to the ministry staff for the inconvenience which this has caused. That has been the problem.

Mr. Mackenzie: I think it is even broader. It goes back to the belief that we can jam all the bills and legislation through in a matter of a few weeks' time. The House should really have started sitting much earlier than it did.

Mr. Chairman: Yes.

Perhaps we can deal with next Wednesday. Is it acceptable that we will sit from one until six next Wednesday, a week today? What we are trying to do is to clean this off so we will not have the conflict between this committee discussing the estimates, and the plant shutdown committee. That is what we are attempting to do.

Also there is the pressure of the health referral. The people associated with that referral would like to get that started around the end of the month or the first part of December on the assumption we are not going to be around here any longer than December 12 or 14.

Mr. Kennedy: What are the total hours allocated for Labour?

Mr. Chairman: Fifteen.

Mr. Kennedy: That is all right for me.

Mr. Chairman: Is that acceptable?

Mr. Mackenzie: Subject to some fast checking, I think it will be, Mr. Chairman.

Mr. Chairman: Okay. We will leave it at that. Thank you.

Mr. Van Horne: I would like to say a word for our caucus, Mr. Chairman. I would agree that we could go with the five hours next week, given that it should be adequate time for any of our members who have a particular concern to gather their thoughts and be here.

I would just like to add a word about the business of having this estimates committee on at the same time as the select committee. I know the standing committees do take precedence, but I feel that if we cannot sort out our priorities a little better, then we are really not considering the work of the select committee to be all that critical.

It was very clear in my mind when we came in here on October 6 that plant closures, such things as notice, termination, pension, pension portability, or whatever, all of those themes were critical and had to be addressed. We form the committee and now we try to have that committee working at the same time.

I really feel we all should have stood—and I would have hoped the minister would have taken a stronger stance on this—and demanded that they be held at different times. The minister is the guy who is going carry the pail in both areas as much as the critics, or more than the critics.

I say this partially to get it on the record because I feel very strongly. Somewhere along the way we have to take a look at the estimates process which, by and large, has become a forum for members to bring forth their views and certainly is not a forum for critical examination of money matters of any of the ministries. In my recollection I do not think we have changed many major money matters. We have had the chance to vent some policies and ideas and pet beefs but, really, the consideration of estimates as they were intended to be, compared to the estimates as they are, are two very different creatures.

The few members here who are hearing this I hope will pass the word on to our colleagues, if they agree, that the estimates process must be reviewed. As I see it right now, it is a waste of time.

Mr. Chairman: I do not want to comment on the latter point, Mr. Van Horne. But just to clear up the scheduling part of it, as far as I was

concerned, as chairman, it did not matter to me what we did or in what priority. I have to sit here anyway. All I am interested in doing is getting the work cleaned up.

We had a striking committee meeting, of which Mr. Ramsay was a part, and we simply could not come to any decisions. There were so many conflicting items on our agendas that we simply could not come to a decision as to which would come in what order. So it went back to the House leaders, then it came back to us, and then it went back to the House leaders again. I got a note from the government House leader indicating what had been decided or what was proposed as an agenda and we went from there.

I recognize the difficulties and at this point all we can do is go forward and do the best we can.

1:20 p.m.

Hon. Mr. Elgie: If I may just respond to that. You suggested I should have demanded something different. I can request certain things and the committee has been very good in obliging me on a couple of conflicts I had, but the negotiations about the timing of these committees is certainly not in my hands. It is a matter of negotiation between the House leaders. As your chairman says, there was a special subcommittee.

Certainly, even today this causes me some inconvenience, as it does you, because there are matters before cabinet which I had to leave. Anyway, I thank the committee for the consideration it has given to me, but it is through no wish of mine that we are scheduled the way we are.

Mr. Van Horne: A little righteous indignation might have influenced the House leaders to respond differently. That is my point.

Hon. Mr. Elgie: I wonder if I could make one brief comment. Dr. Fraser Mustard, the chairman of the Advisory Council on Occupational Health and Occupational Safety, has sent me a memo asking if the committee would agree that he could be scheduled to appear for estimates on November 24 at 3:30 p.m., if that is at all possible, in order to fit in with his schedule. That would be Monday, November 24.

Mr. Chairman: Is that acceptable?
Agreed. Okay.

Mr. Van Horne: While we are on the scheduling, are we going to go for an evening sitting or is there any change in the agreement that was tentatively reached earlier, for Mondays?

Mr. Chairman: No. The scheduling agreement as outlined to me, in a memo from the government House leader dated October 31, indicates that we are opening today. As I pointed out earlier, we will do the leadoffs and the first vote

and then quit, no matter what time it is. Then next Wednesday, a week today, we are on these estimates, and although it is tentative, we are planning to go the five hours; then Monday, November 24, Tuesday the twenty-fifth, and we will likely end up on Wednesday the twenty-sixth.

Mr. Minister.

Hon. Mr. Elgie: I am pleased to be with you today, as are the members of my ministry's senior staff, who have accompanied me.

With me is my deputy, Tim Armstrong; my Assistant Deputy Minister, Industrial Relations, Vic Pathe; my Assistant Deputy Minister, Program Analysis and Implementation, Nicholas Ignatieff; and my Assistant Deputy Minister, Occupational Health and Safety Division, Dr. Ann Robinson.

As many of you may know, Dr. Robinson assumed her challenging and onerous new responsibilities in September of this year. Since 1978, Dr. Robinson has been the chief of our occupational health laboratory. She has, indeed, had a distinguished career in forensic medicine and in toxicology, as a lecturer, author, consultant and public servant. We are fortunate to have the benefit of her considerable knowledge and experience.

In the past few months, I must say, my colleagues and I have often felt that the old Chinese curse, "May you live in interesting times," applied to us because they certainly are interesting and certainly demanding with regard to time. I think it is accurate to say my ministry, as much as any other, has felt the stresses necessarily associated with a slowdown in economic growth, both here and abroad, and a continuing high rate of inflation. I think it is also accurate to observe that the effects of these factors have been more pronounced in Ontario due to the market and product adjustment problems in the automobile industry.

Thus, while our pace of job creation continues to run ahead of the increases in our labour force, we cannot afford to be complacent. Our unemployment rate is only marginally less than that of the country as a whole, substantially lower than those provinces to the east, but higher than those to the west.

These factors have been exerting pressures on many aspects of employment relationships and the labour market in general. Recent plant closures and layoffs are the most obvious manifestations of these pressures.

In times of economic uncertainty, societal tensions tend to be exacerbated: industrial confrontations become headlines, the appropriate role and status of women in the labour force receive increased attention, and abrasive

labour relations issues often emerge. Government, subject to the same economic constraints as the private sector, must somehow allocate sufficient resources and take the appropriate program initiatives to ameliorate the resulting individual and community disruption and hardship, at the same time avoiding counterproductive overreaction.

Despite, or perhaps because of, these external strains, I believe we have responded responsibly and creatively to the exigencies confronting us. As an example I would point to our program to deal with the current layoff situation.

As I indicated last week to the select committee on plant shutdowns and employee adjustment, the number of people affected by plant closures during this year has been and continues to be a matter of urgent concern. The number of workers whose jobs have been lost by closures in the first nine months of the year is about the same as the whole of 1979, and the number affected by indefinite layoff due to cutbacks in operations has doubled, when one compares the first nine months of both years.

At the same time, new industrial investment in Ontario remains strong. For the first eight months of 1980, 165 new projects were announced, involving \$3.6 billion in capital investment and 12,300 new manufacturing jobs. However, despite this encouraging growth, the plight of workers laid off due to closures and cutbacks cannot and will not be ignored.

On October 14 I announced a five-point program which focuses on the various issues arising from these closures.

The Minister of Consumer and Commercial Relations (Mr. Drea) will be introducing amendments to the Pension Benefits Act to address the question of the options open to employees upon termination of a pension plan, including the right to receive pension benefits upon attaining early retirement age, notwithstanding the cessation of employment. As well, the amendments will provide for the establishment of a centrally administered fund to guarantee pension rights in those instances where terminating plans are not fully funded.

Within the next few weeks I will be introducing amendments to the Employment Standards Act. These will provide for the continuation of entitlement to fringe benefits in addition to normal wages for the equivalent of the required statutory notice period in those cases where employees receive pay in lieu of notice. In addition I will be introducing changes which will allow us to require employers whose operations are closing down to participate in and

contribute to the funding of manpower adjustment committees.

As you know, the issue of severance pay is being examined by the select committee at the present time. I have indicated to the House I am not apposed in principle to a workable, legislated, severance pay plan, but I have also said there are many complex problems, substantive and technical, to be solved in formulating such a plan. I look forward to receiving the select committee's report on this important and difficult subject.

I would like to remind you as well of an important nonlegislative initiative in this area; a new, co-ordinated interministerial response capability for dealing with plant closures and layoffs. I was pleased when Bob Joyce agreed to become my special adviser in this area. With his help, we are presently working out the administrative arrangements for the deployment of interministerial field teams, which I expect to be operational within the next few weeks.

Mr. Joyce is highly regarded by both labour and management for the integrity, fairness and objectivity he has demonstrated over a long career in industrial relations. I know he will make a valuable contribution, not only in co-ordinating activities of the interministerial teams but also in taking appropriate steps to assess realistically the possibility of continuing salvageable operations.

As well as addressing these special needs my ministry continues to concern itself with protecting the basic employment rights of all workers. Individual terminations are obviously as traumatic for those involved as are mass layoffs. We will continue to enforce vigorously the termination provisions of the Employment Standards Act, as well as the other substantive protection it offers to employees.

I think the work of the employment standards branch in these difficult times deserves special commendation. Because its efforts on behalf of individuals are rarely, if ever, headline material, the persistence and conscientiousness of its field officers go generally unrecognized. Over the past year, it has become apparent that additional resources are needed by the branch in order to enable it to cope with its growing case load. I am therefore pleased that we were able to obtain 21 additional positions for the branch this year.

While addressing the immediate problems caused by imbalances and dislocations in employment, Ontario has, through the Ontario Manpower Commission, mounted a major assault on the vexing problems of predicting demand and ensuring supply in the labour market.

You will recall that the commission was created in the summer of 1979 and reports to the cabinet through the Ministry of Labour. It is a unique, multipartite body with representation from labour, management, government and the education system. Its mandate is to develop and recommend manpower policies and programs for Ontario.

1:30 p.m.

The commission has undertaken an active research program, using the expertise of the labour market information unit, which was transferred to it from the Ministry of Labour research branch. With an authorized increase in complement of 17 in the past year the commission now has a staff of 31.

In May, a major study was released. It explores the employment outlook for Ontario for 1980 to 1985 and the labour supply projections for the same period. It also identifies imbalances between the two, and this will provide the basis for a range of recommendations related to skills training and manpower planning.

The commission is working in co-operation with the Ontario regional division of Canada Employment and Immigration to develop employment strategies for women, for the handicapped and for youth. As well, the commission has been examining the broad questions of how skills training should be developed and by whom. I will shortly be announcing important new initiatives to overcome continuing deficiencies in manpower training in the industrial sector. You will recall that I referred to these in my October 14 statement relating to plant closures and layoffs.

Given the importance of industrial stability to economic recovery, I should like to turn to the broad subject of industrial relations. In our search for ways to facilitate more harmonious labour relations we have recognized that the dynamic quality of collective bargaining requires, from time to time, carefully designed legislative responses. I believe that the amendments we have made over the past 16 months represent considerable progress towards rectifying some of the more abrasive aspects of labour-management relationships.

Last month marked the first anniversary of the proclamation of Bill 25, which was designed to provide an optional statutory process for dealing expeditiously with grievance arbitration; a process which, at the same time, would have the potential for achieving pre-hearing settlements through the mediation efforts of field officers from the ministry.

The experience and record of the office of arbitration, which administers this new legisla-

tion, have confirmed our belief that skilled grievance settlement officers have an important and effective role to play in assisting in the resolution of grievances before they proceed to the hearing stage. To date, 60 per cent of the applications processed have been settled by officers. This represents a substantial saving of both time and money for the parties and, inevitably, fosters an improved industrial relations climate within the affected enterprises.

More recently, amendments to the construction industry provisions of the Labour Relations Act were introduced. Bill 204 extends the scope of recognition of unions affected by single-trade provincial bargaining to the province as a whole. In addition, the bill imposes time limits for the ratification of memoranda of settlement and prohibits selective strikes and lockouts.

These changes were brought about following a review of the industry's experience in 1978 bargaining, and were introduced in time to apply to the 1980 round of bargaining. It is significant, I think, that the man-days lost due to strikes in 1980 were reduced by approximately 45 per cent over 1978. I might add that the construction industry review panel played an important advisory role in fashioning this further refinement to provincewide bargaining in the industrial, commercial and institutional sector of the construction industry.

Most recently, in June, the three-part amendment to the Labour Relations Act, known as Bill 89, was passed. I believe this represents a judicious balancing of the rights and responsibilities of employers, employees and trade unions. With the passage of this bill we have removed some of the most troublesome and divisive barriers to conflict resolution in labour relations.

As you know, the bill provides for the mandatory checkoff of union dues in all collective agreements, other than those in the construction industry. It permits an employer to require the minister to direct a supervised vote on the employer's last offer, and entitles all members of a bargaining unit, whether or not they are union members, to participate in strike and ratification votes.

As a package the amendments address three key industrial relations concerns legitimately raised by labour and management. As I have said, I expect the changes to contribute substantially to an improved collective bargaining climate in Ontario.

I might mention as well a procedural modification that has been instituted by the Ontario Labour Relations Board in its continuing efforts to expedite its proceedings. The board now deals with certification applications without a

hearing, where all parties are in agreement on all issues raised in the application and consent to waive the hearing. The board's field staff plays an important role in administering this new procedure and in securing agreement on outstanding issues.

The effect of the waiver process results in substantial savings to the labour relations community in both time and money. Parties no longer have to travel to Toronto for short, perfunctory hearings.

The ministry continues to expand its nonlegislative programs aimed at enhancing labour-management relations. Our preventive mediation service continues to grow and has proved to be a model for other jurisdictions where similar programs, patterned directly on ours, are just now being developed. Preventive mediation is an excellent example of government's facilitative and supportive role, where intervention occurs only with the agreement of the parties involved.

Depending on the particular situation, specially trained staff may, first of all, assist the parties during the term of the collective agreement to analyse irritants and problems in the relationship, and help them devise solutions; second, provide assistance in the training of foremen and union officials in the fundamentals of contract administration where the parties feel it is desirable and necessary; and, where appropriate, encourage the establishment of industrywide labour-management committees, as has been done for the first time in Ontario, and to my knowledge in Canada, in the retail food and hospital industries.

Ministry data indicate that work stoppages in the first six months of 1980 are substantially lower than in the same period last year, and so was the number of man-days lost. While 1979 figures include the Inco dispute, collective agreement expirations in the first six months of this year were higher than in 1979, so there has been a significant relative decline in the number of work stoppages this year.

It is important to remember in all this that the percentage of working time lost through work stoppages in the first half of 1980 was less than one fifth of one per cent, the lowest figure recorded since 1977. Ninety-five per cent of agreements in Ontario are concluded without any work stoppage at all, and more than one half are achieved without any kind of third-party intervention.

In spite of this, the Canadian industrial relations system has been subjected recently to a certain amount of criticism in view of this country's apparently poor strike record, particularly when

compared with that of a number of Canada's major trading competitors. By implication these criticisms also reflect on Ontario's record in this regard, although in fact this province's experience with work stoppages compares quite favourably with the Canadian average.

Despite the numerous technical difficulties involved in drawing valid comparisons on the basis of international strike statistics, it is clear that both Ontario and Canada as a whole do not show up well when the comparison is confined to one specific measure of strike activity, namely, man-days lost per 1,000 employees. Both Canada and Ontario rank behind many other western nations.

However, when one compares the frequency of work stoppages, Canada and Ontario rank much more favourably. During the last period surveyed, the frequency of work stoppages, adjusted to take into account the differences in the size of the work force, was substantially lower in Ontario than in Australia, France, Ireland and Italy, and only slightly above that of Japan. Similarly, for the same period, the proportion of the work force involved in stoppages in Ontario was lower than in the UK and the five countries mentioned above, including Japan.

The chief contributing factor accounting for the relatively high man-days lost in Ontario and in Canada is the average duration of work stoppages. In Ontario this figure generally averages between 15 to 20 days, compared with less than three days for Australia, France, Italy and Japan, and less than 10 days for all other major industrial nations except the USA and Ireland.

There is a growing awareness in the industrial relations community that quality of working life programs have considerable potential for improving labour-management relations, as well as enhancing and humanizing the conditions under which work is performed. Quality of working life, with its emphasis on restructuring jobs and working relationships, offers a way for management and labour to approach common problems in a joint fashion for mutual gain.

We had an opportunity to acquire some insights into the real-life implications of quality of working life programs last month, when the quality of working life advisory committee hosted a one-day forum for labour and management participants in current field projects. I should like to take a few minutes to quote from the proceedings, to give you some idea of the views which management and labour have on this important topic.

For example, Roy Bennett, president and chief executive officer of Ford Canada, concluded his remarks by saying:

"North American industry is at a fork in the road. It will tend to follow either the English or the Japanese examples. In the English example there has been a continuous increase in the adversarial relationship between management and employees: more friction, more hostility and, probably, less job satisfaction.

1:40 p.m.

"In the Japanese example there is a more harmonious relationship and more interaction between workers and management. I am not suggesting that North America should or will adopt the model of Japanese industrial society—I think our cultures are vastly different—but it is the principle and the philosophy of employee-management relations that is at issue. We are at a very critical stage in the development of our industrial society, and it is my earnest hope and expectation that employee involvement programs and quality of working life will have a major impact on the course of our industrial progress in the next decade."

An equally positive and constructive attitude was expressed by Bill Horner of the United Auto Workers. He summed up his attitude this way: "We are coming out of the wilderness because today a union cannot afford to sit on its haunches and say all it has to do is collect dues and negotiate contracts. The company cannot afford to say, 'We will run the shop according to the way we did it 40 years ago, without changing our style,' and get the same results. That is not going to work either.

"Discipline was one of the strongest things that management used to correct absenteeism, to correct quality, to correct people's demeanour. It didn't work. I see us strengthening our position with our membership because they see us giving it leadership. Quality of working life is all about changing our style, about individuals, giving them credit for being people who can contribute to a labour organization they belong to, be it management or union."

As our quality of working life centre enters its third year it is not only participating in and supporting field projects but is also expanding its educational programs in an effort to spread to a broader constituency the commitment and enthusiasm reflected in the remarks of Messrs. Bennett, Horner and others.

This fall, there will be four one-day seminars offered to introduce quality of working life concepts to labour and management representatives in Sudbury, Toronto, Hamilton and Welland. As well there will be a two-and-a-half-day labour-management seminar at The Niagara Institute which will focus on a more in-depth examination of the practical issues involved in

applying quality of working life concepts to the work place.

As I said earlier, the employment problems of women quite properly receive increased attention during periods of economic downturn. The Ministry of Labour has an obligation to ensure that its initiatives related to women in the work force are relevant and appropriate. The inseparable issues of equal opportunity and economic equity continue to be addressed, collaboratively, by the women's bureau, the women crown employees office, the Ontario Human Rights Commission and the employment standards and research branches.

During the past year the women's bureau continued to meet the increasing demand both for publications and assistance from women, community agencies and employers. The outreach to employers through the affirmative action consulting service has become more diverse as it adapts to the needs of an increasingly sophisticated client group. The service has played a facilitative role in establishing self-help networks of employers with a common interest in improving opportunities for women and, with the assistance of a major consulting firm, staged a most successful workshop for employers with established affirmative action programs.

The government is committed to encouraging voluntary affirmative action for women in the private sector. To reinforce our initiatives in this direction, I announced 18 months ago the establishment of a joint labour-management advisory council on equal opportunities for women. We have just increased its membership from seven to nine. The council's mandate is to provide advice and comment on the bureau's affirmative action programs; I am pleased that after initial examination of the state of the art in Ontario, the members intend to take a more proactive role. They will be hosting and sponsoring consultations and forums with employers and labour representatives both in Toronto and around the province.

The bureau has been studying current job evaluation techniques and their impact on equal pay and opportunity. This enormously complex and controversial topic, which is now undergoing a major review in the United States, is the subject of a paper that will shortly be published by the bureau, along with guidelines to help employers minimize the effects of sex bias in compensation plans generally, and in job evaluation plans in particular.

Industrial or work place day care has also been investigated by the bureau and a paper will shortly be available, along with a brochure, to aid employers or unions who are interested in

establishing child care programs on a voluntary basis.

I have referred to the interrelatedness of equal opportunity and equal pay. The latter has been the subject of a great deal of attention within the ministry this year. It appeared to me that the relatively low incidence of equal pay complaints might indicate either a lack of awareness of the law and its application, or a fear of reprisals, although as you know, reprisals for seeking compliance with the Employment Standards Act are prohibited by law.

In the event, the ministry launched a pilot project a year ago involving random audits rather than the investigation of specific complaints. The results confirmed this was a productive path to follow. We have now obtained additional permanent resources to enable the ministry to initiate routine equal pay audits as part of the employment standards branch's regular operations. A field staff comprising 10 officers has been intensively trained and assigned exclusively to the enforcement of equal pay provisions of the act.

It was clear that despite increased resources, our officers could only undertake a limited number of routine audits. Accordingly we augmented the inspection program with a major multimedia campaign—television, radio and the print media—aimed at making both employers and employees aware of their rights and responsibilities under existing law with respect to equal pay.

The success of this campaign is evident from a number of measurements. The women's bureau reports it received 128 inquiries related to equal pay in the first six months of the current fiscal year, compared to 43 in the same period in 1979. One hundred and fifty-six equal-pay claims were filed with the employment standards branch in the same period, compared with 37 in the entire previous year.

In terms of investigations completed the branch closed 86 files between April and mid-September, compared to 66 for the entire previous fiscal year. I believe these results validate the decision to assign specially trained staff to this particularly complex area of investigation and to publicize the law through the media.

I should say that while we are generally pleased with the results of these initiatives, we are also looking seriously at a proposal to use a composite profile of the skill, effort and responsibility in a given job, in making comparisons between work that is substantially similar. The present legislative test requires that each of these elements be evaluated separately, and

some argue that this test is too restrictive and limiting. We are examining this issue closely.

Besides providing women with vital employment and career information, and translation where appropriate, the women's bureau offers services to women with special needs. Staff of the bureau provide assistance and advice to a wide variety of community agencies across the province, but in addition, through its deployment of summer students under the experience program—17 students in 1980—the bureau provides support to a number of organizations which give direct aid to native, low-income and immigrant women and those requiring special vocational counselling and services.

Projects which the bureau has assisted include an employment orientation program for Chinese and south Asian immigrants in Toronto, a job placement and advocacy service for deaf women in Sudbury, and a workshop to help immigrant women in Thunder Bay develop effective job search techniques, to name just a few.

In its efforts to persuade private sector employers to undertake affirmative action programs for women, the government must establish and maintain its own reputation as a good equal opportunity employer. This year, we moved into the third phase of our internal affirmative action program. In this phase we have made some fundamentally important, substantive changes in the nature of the program which I would like to draw to your attention.

While the goal of the program has always been that women shall have equal opportunity, we have now defined this to mean that women's representation within all bargaining unit categories and management modules within the public service, shall reach a minimum of 30 per cent before the year 2000. To achieve this, ministries have been required to set annual minimum numerical planning targets.

In addition, the government has established an affirmative action incentive fund to allow ministries to increase accelerated career development opportunities for women. As an added inducement to management we decided that the success rate will be closely monitored and will be considered as one of the major factors in appraising the performance of senior managers. As well, the Civil Service Commission and Management Board of Cabinet will review, twice a year, each ministry's results in meeting its target, so that appropriate and timely remedial action may be taken.

1:50 p.m.

I have spoken frequently of the priority this government has given to human rights. Although

I have great confidence in the skill, determination and dedication of the Ontario Human Rights Commission in dealing with racial and other forms of discrimination, I have recognized that the commission's resources must be augmented in order that it can fulfil its increasingly complex mandate.

Consequently I was pleased to be able to announce, just a few weeks ago, that the government had approved a significant increase in the staff of the commission, which raised the commission's budget by about 18 per cent. As previously announced the commission has been authorized to recruit 10 additional professional staff, five of whom will be assigned to the race relations division. As well, for the first time the commission will have a full-time solicitor to aid the field staff in their assessment of evidence and in applying the code.

I should add that this increase is quite independent of the additional resources which will be required to implement the provisions of the revised human rights code, which I expect to bring to the Legislature within the next 10 days. I will, of course, have a detailed statement to make on the substantive reforms proposed when the new code is tabled for first reading.

I am aware of troubling new manifestations of racial tension. The government has already reaffirmed its commitment to the eradication of racism from our communities. In November 1979 a cabinet committee on race relations was established under the chairmanship of the Attorney General (Mr. McMurtry), to direct and co-ordinate the government's programs and policies in matters involving race relations.

We created a race relations division within the human rights commission, under the direction of a new race relations commissioner, Dr. Bhausahab Ubale, the first such appointment to a human rights commission in Canada. The division has involved itself in efforts to reduce discriminatory practices and racial tensions that are evident in business, industry, the educational system and the criminal justice system.

During the last year it has been involved in several hundred mediations and consultations. The race relations commissioner has consulted on behalf of the commission with elected officials and public servants in a number of municipalities, particularly in the Toronto area, to promote its strategy of addressing race relations problems at the neighbourhood and community levels.

As an example, in North York, a mayor's committee on race and ethnic relations has been established, with representatives from religious and educational institutions, the munic-

ipal council, police and community leaders. Very recently, the race relations commissioner has convened a meeting with boards of education in the Metro area to discuss the recent efforts of the Ku Klux Klan to recruit members on or near school property in Toronto.

The commission has also been developing a program to help labour and management reduce racial frictions in the work place. An example of successful intervention occurred in an instance where conflict had broken out among a number of employees in a southwestern Ontario manufacturing plant. Race relations division staff met with management and with the union to determine where, and among whom, problems were occurring. As a result, staff proposed a new procedure that forwarded grievances of racial harassment directly to senior management for action, and designed seminars for foreman-level personnel to help identify and to deal with potential racial tensions. A substantial degree of work place harmony has been achieved.

Before leaving the topic of human rights I would like to draw your attention to some current initiatives of my ministry in respect to the employment of the handicapped. I am pleased to be able to report that as we move towards the United Nations International Year of Disabled Persons in 1981, the staff of our handicapped employment program has increased from three to eight. This will allow it to maintain the momentum it has created in identifying and meeting the resource, information and liaison requirements of employers, community agencies and handicapped persons.

The goals and methods of the program are well represented in an innovative pilot project in Hamilton. Briefly, I would like to describe this venture because it demonstrates the effective catalytic role of the government in helping individuals and communities identify and meet their own needs.

The ministry is sponsoring the Hamilton project jointly with the March of Dimes. Its goal is to improve employment opportunities for the handicapped in that region, and it brings together representatives of three levels of government, voluntary agencies, the professions, advocacy groups for the handicapped, educational institutions and employers.

The project has a research aspect, namely, to determine how community facilities such as transportation, training and professional services can best serve the employment-related needs of the handicapped. As well, however, it has practical short-term and long-term goals, the most important of which is the encouragement

of creative approaches to matching skills and abilities with jobs.

A unified placement centre has been established to facilitate contact between employers and handicapped persons seeking jobs. A full-day conference in June attracted representatives of 70 companies, most of whom indicated an interest and enthusiasm in participating in follow-up discussions on developing affirmative action proposals. A key factor in the early successes of this program has been the participation, at every stage, of the consumers of the network of services for the handicapped, that is, handicapped people themselves.

I am optimistic that the Hamilton project will prove to be an important model from which other communities can learn, and one which they can adapt to their particular needs.

The Occupational Health and Safety Act, 1978, has been a centre of attention in the media and elsewhere recently. There is no doubt that the occupational health and safety division, under Dr. Robinson, has a challenging job. As I said at the outset, I am confident that her administrative and leadership skills will greatly assist in the effective implementation of the act.

I am aware that both the speed and the manner of the act's implementation has caused some controversy. Labour argues that we are not moving far enough or fast enough, and that the ministry is shirking its responsibilities. Management has countered with the cry, "Too far, too fast."

To both groups I reply: we will continue to proceed as rapidly as possible, given the complexities of the scientific, engineering and administrative problems to be solved, so the working people of Ontario will receive maximum health and safety protection in the work place with the least possible delay. I am encouraged by the concern genuinely expressed by labour and management. It helps to keep our program developments in a realistic perspective.

Note that I have said a realistic perspective, not a distorted one. One distorted view of the ministry's occupational health and safety division is that it is shirking its duties, and that it is not serious about the health and safety programs in the province. I have heard that some have argued the ministry is buck passing its responsibilities on to the shoulders of the working men and women of this province; more particularly, that inspectors are not fulfilling their enforcement duties.

This is simply not so. It is our policy, clearly established by published manuals of procedure, for the inspector to consult with labour and

management in the course of an inspection, to identify their concerns.

However, an inspector has a legal duty to enforce the act and its regulations and to take appropriate action when contraventions are found. This they do. Over the year, they issue thousands of directives and follow-ups to ensure compliance. In many instances, owners, employers, contractors, supervisors and employees are also prosecuted and fined.

I would add that we do not wait for court decisions to deal with dangerous situations. This is why the inspectors issue stop-work orders in situations where there is a contravention and the health or safety of a worker is endangered. The industrial health and safety branch issued 1,100 stop-work orders in 1979-80, and 1,217 in 1978-79. We do not turn a blind eye. If there is evidence to the contrary, I want to hear about it.

The ministry has been criticized for lack of attention to the status of occupational health and safety committees. As you know, the Occupational Health and Safety Act, 1978, does not require employers to report on the establishment of these committees or to file minutes of committee meetings. None the less, since promulgation of the act last October, the inspectorate has been under instructions to monitor and report on the establishment, maintenance and operation of committees where they are required in work places.

From these special reports it appears that in the industrial sector, about 92 per cent of the required committees have been established to date; in the mining sector, about 95 per cent of the required committees are in place; and health and safety representatives have been appointed in about 95 per cent of the construction projects with 20 or more employees.

These data indicate that most employers and employees are complying with the letter and spirit of the law. However, there are situations in which the parties are poles apart and are not willing to co-operate. In these circumstances, I will not hesitate to use my authority under section 11 of the act to appoint a special adviser to hear both parties to a dispute and, upon receiving his report, to decide upon the appropriate action required under section 8(3) of the act.

It is also alleged that worker representatives on joint health and safety committees do not have sufficient time to inspect the work place if the minimum statutory limit of one inspection a month is adhered to. While this may be the case, I should add that an aggrieved party does have the opportunity to request a director of the

ministry to increase the number of monthly inspections.

I would point, for example, to the request from a local of the Steelworkers to the director of the mining health and safety branch to increase the frequency of monthly inspections of worker representatives on health and safety committees. The director of the branch acceded to the request, with appropriate modifications, and ordered the company to increase the monthly frequency of worker committeemen's inspections.

2 p.m.

Perhaps the most difficult and, in a sense, frustrating experience over the past year has been the development of designated substance regulations. This is where it is all too difficult to find consensus. Everyone acknowledges that the health of workers must be protected, but a variety of different, and often conflicting, approaches and strategies to achieve this end are advanced by various parties. Moreover, the deficiencies in the available information base on the health effects of some of these substances do not facilitate efficient decision making.

You will no doubt wish to know, as you are entitled to know, where we now stand. Proposed regulations for asbestos, lead, mercury, noise, isocyanates, silica and vinyl chloride were published in the Ontario Gazette on August 16, 1980 pursuant to section 11(b) of the Occupational Health and Safety Act, 1978.

Mr. McClellan: Is that the final Gazette?

Hon. Mr. Elgie: No, that is the first.

Mr. McClellan: That is round two. I thought they were printed in summer of 1978 for the first time.

Hon. Mr. Elgie: Not under this act they were not.

The ministry will continue to receive briefs on the proposed regulations until November 28, 1980. The comments received will be reviewed in detail. The staff will then prepare a report on the revised regulations and will submit them to me for review. If I am satisfied, the proposed regulations, with background material, will be sent to the advisory council on occupational health and safety for review of the processes whereby the regulations have been developed. Council will then advise me on whether due process has been followed.

I expect to submit the first designated substance regulation to council by early January. Depending upon the council's advice, I will then bring the regulation before cabinet for approval and publication in the Ontario Gazette. I freely

concede that we are behind the target dates we over-optimistically discussed during the last estimates debates. As I have said, the process has proven much more difficult than originally anticipated. However, our goal is unchanged; namely, to develop the most effective, workable regulations with the least possible delay.

I might add that we are in the midst of a consultative process to examine the desirable extent and scope of regulations for health care institutions, educational establishments, police, firefighters and others. There have been discussions held with the agricultural community to decide how best to bring farming operations under the aegis of the act.

The need to monitor the development of policy and regulations in the field has given rise to several advisory committees, appointed under section 11 of the act. The most senior advisory committee, with the broadest mandate, is the Advisory Council on Occupational Health and Occupational Safety, chaired by Dr. Fraser Mustard. I am extremely proud of the work which this council has done. There are few documents on occupational health and safety in Canada equal in scope, sensitivity and depth of research, to its first and second annual reports.

I have also recognized the need for advisory committees on special issues. I am pleased that Mr. Cam Barrett has accepted the offer to chair the advisory committee on mines and mining plant regulations. I am also pleased that the Solicitor General (Mr. McMurtry) and I were able to establish an advisory committee on matters of health and safety for police forces.

The ministry has addressed itself to several specific major health and safety issues in the past six months. In April I announced the establishment of a royal commission, chaired by Dr. Stefan Dupre, who, along with his colleagues Dr. Mustard and Dr. Uffin, are examining health and safety aspects of the use of asbestos in Ontario. Its terms of reference are very broad and include provision for a review of the present basis for Workmen's Compensation Board awards as they relate to occupational health matters affecting workers exposed to asbestos.

The commission has fixed dates in early 1981 for the filing of written submissions, and public hearings will begin in February. In the meantime, however, the ministry has responded to requests from a number of other ministries—Education, Colleges and Universities, Health, Government Services, and Community and Social Services—to help them identify work

places where asbestos might be present as an insulating material.

Our occupational health laboratory provided 3,500 assessments in an eight-month period and we shall continue with our inspection program aimed at locating asbestos exposure sites and with our analysis of submissions received concerning the proposed occupational standards for asbestos. Indeed, if further immediate action of a remedial nature appears to be warranted, we will not hesitate to act simply because a commission has been appointed to conduct a thorough study of the entire subject.

As Dr. Dupre has said, the division of labour between the royal commission and the government is straightforward. The commission will make a thorough study of the subject and formulate recommendations. Its relationship to government initiatives will be at arm's length. The government will continue to serve the public interest on a day-to-day basis, while the commission is free to take issue either with what government has done or with what has been left undone.

Earlier this year, the government and the public had reason to share a new, urgent occupational safety concern: there had been significant and unexplained increases in mining injuries and fatalities in Ontario during the first six months. In August, my federal counterpart, the Honourable Gerald Regan, and I appointed a joint federal-provincial inquiry commission into safety in mines and mining plants in Ontario. We were fortunate to be able to enlist the services of Kevin Burkett, alternate chairman of the Ontario Labour Relations Board, as chairman, along with Peter Riggan, of Noranda Mines, and Keith Rothney, of the Steelworkers.

It is significant that this critical issue is being addressed jointly by labour and management. All indications are that the commission has received full and unqualified support and co-operation from all parties in the mining industry.

The commissioners have inspected sites and held hearings in northern Ontario. They are receiving briefs from labour and management representatives, as well as summoning witnesses. Mr. Regan and I expect the commission to report early in the new year and we look for comprehensive recommendations as to how tragic and unnecessary deaths in mines can be avoided.

I have touched on a wide range of issues today: Their diversity serves as a reminder of how broad and varied are the mandates of this ministry. It is interesting to reflect on how many of the most important current public issues—

those in the provincial sphere—fall within our jurisdiction. Let me recount some of them.

A primary public issue is conflict resolution and the adequacy of our collective bargaining laws. As I have said, there have been major reforms in the collective bargaining system. Race relations and women's issues have both been the subject of widespread concern, and I believe the government has responded effectively. There have been expressions of unease and uncertainty about toxic substances, notably asbestos, and we have acted.

I have spoken today at some length about our initiatives related to plant closures and partial closures, and the resulting layoffs. We have commissioned a major review of the benefit structure, organization and adjudicative processes of the Workmen's Compensation Board. Professor Paul Weiler, one of the foremost scholars of administrative law in North America, has completed the first phase of his review, and his initial report is at the printers now. It will be available for release shortly, and I hope and expect it will recommend fundamental changes of a progressive nature.

The public is, I believe, interested in efficiency and value for money from its governments. In this connection, I might note that the many problems to which I have referred have been addressed by one of the smallest ministries in the government. Our budget is about \$50 million, less than one third of one per cent of the provincial total, and we have only 1,500 of the province's 83,000 public servants.

I make no apology for the fact we have avoided the temptation to apply quick-fix solutions, the kind of cure frequently advocated by persons who do not have the responsibility for implementation. Neither, on the other hand, have we backed away from problems. Government's task is to act, but not overact; to balance the rights and obligations of all parties, not simply those of a single constituency; to avoid bowing unjustifiably to the pressures of special interest groups, while at the same time addressing, as sensitively and as responsibly as possible, real social problems.

In summary, successful solutions—and I believe that the record of the Ministry of Labour over the past year shows we have devised a number of these—must be both humane and practical. I am more than ever convinced, from the experience of this last turbulent but challenging year, that public administration really is, as John Kennedy said, the art of the possible.

The Acting Chairman (Mr. Kennedy): Thank you, Mr. Minister. I understand the opposition critics are prepared to proceed. I think Mr. Van

Horne, of the Liberal Party, has some comments in response to the minister's opening statement.

2:10 p.m.

Mr. Van Horne: I will read the minister's remarks with interest and concern and with a very critical eye when they appear in front of us. It would seem we are moving away from the procedure last year of handing out copies of the typewritten statements.

The Acting Chairman: There are some being distributed now.

Mr. Van Horne: Thank you. I am not going to respond in kind with a typewritten one because I simply have not got it. I am going to make a few general comments, and I hope we can then devote our time to the various votes as they proceed.

In the preliminary discussion of the planning for these 15 hours of estimates I indicated I had a concern about the whole estimates procedure. I think I was very negative in what I said and I will stand by those comments. I also suggested that there may be a plus or two in the process; that is members, including members of our caucus, being able to bring specific concerns to the minister as they relate to various aspects of his ministry.

We will have a variety pack in here over the next few days so that members with specific concerns can raise them with the minister. In other words, it will not be the sole responsibility of the critics to deal with all of the various matters.

It is also a plus if we can find the direction in which the ministry is going and have some explanation for that. I have a critical comment to make in so far as the ministry's future planning is concerned. I will get into the specifics of that in a moment.

I will also get into a very few specifics of our Liberal labour task force, which has been going about the province during the calendar year 1980 to obtain the view of the man on the street, as it were, whether he is working in organized labour, working without belonging to any particular union, or just an interested citizen or person from management.

In summing up, Mr. Minister, you said this past year was a bit turbulent. I would suggest that some of this turbulence has come from the lack of ability of your staff properly to prepare and present to us legislation that can be debated, without hassling, in a way that does not require redoing. To be specific, I think you will agree that in Bill 204 and Bill 73, both of which had to come on stream to clear up an inade-

quacy in Bill 22, we have a good example of rather poor legislative planning.

The handicapped bill is another which, in the final analysis, had to be withdrawn. I would submit that the planning process there fell something short of the mark. I do not think there is any question that the handicapped people in Ontario were looking to you and your ministry for much different and much better legislation. It is really unfortunate that we have been waiting for about a year and still have not seen your exact plan.

You have indicated that something is coming on stream. I would hope they are some of the things that seemed to cause the problems last year, such as getting some form of consensus or reaction from those concerned. As I understand it, some of the handicapped people said they were consulted and others said they were not. In the long run, whatever was the case, the bill had to be withdrawn and that is unfortunate. So we look forward to seeing a better form of legislation for the handicapped.

Again, the purpose of placing that and Bills 204 and 73 on the table now suggests surely the people who are putting these things together for you could have done them in a better way.

Another aspect of legislation in this past year which caused some turbulence, and about which I felt rather strongly, was Bill 89. We did not quarrel with the bill in principle—that was made very clear in the debate—but I did object, and I will say so again, to a procedure wherein we had to contend with a time limit which forestalled any prolonged debate and seemed, for whatever reasons, to preclude any kind of in-depth discussion on a simple amendment, such as the one we suggested, the intent of which was to prevent the adverse use of strikebreaking.

I realize the time constraints you have and with which generally we were all in agreement. I am, however, concerned over a process where apparently one of the two opposition parties might be consulted, or drawn into some kind of agreement, before the legislation actually comes down. It really bothered me to hear that this happened, or to have it even suggested it happened, because then we cannot get into free and open debate in the House on any issue, no matter whether we agree or disagree. The process, as I understand it, is to have free and open debate.

Again, we were not quarrelling with the principle of the bill. We were quarrelling with the tactic of what is almost closure on opposition to bring amendments in or to discuss it. That bothered me. I said it to you before personally and quietly, and I am saying it here

now publicly and openly. I do not want to see us get into that again. I do not know whether the finger of blame can be pointed at any one in particular. But, if we cannot in this Legislature in Ontario have free and open debate, then I must speak out against that.

Another point of criticism—I know you will take these as constructive criticisms—is that I have to wonder how much looking ahead your ministry does. You have indicated you have some 1,500 in your employ or under your direct jurisdiction. Surely somewhere along the way before we get into a crisis, as we seem to have done with plant closures and such things as employee adjustment, someone could have foreseen the problems and suggested that the likes of Mr. Joyce could have been put on the job before we almost had to demand the action when the Legislature opened on October 6 this year.

You seemed to be reluctant to make an in-depth statement on that day, and I wonder why you did not. There is no question that the party I represent, and the third party too, were both beating the drums through press releases before the House opened up. I don't know whether you did it by design or by accident. You may argue that your statement was in depth; possibly you consider it as such. I feel it fell short of the mark because Mr. Joyce's appointment was not announced at that time but followed later.

I have to wonder too, given the various manpower problems we have, why Mr. Pollock was not appointed some time ago rather than just within this past year. The Workmen's Compensation Board has been a problem from day one for a lot of the legislators here, and one has to wonder why we have to wait for Mr. Weiler. I guess it could be argued that other studies have been done on the Workmen's Compensation Board, that this one is just another of the many and that you have in fact been looking down the road. I am not sure I would agree if you were to come back with that counterargument.

2:20 p.m.

My point, in summary, is that some of your staff are letting you down, in my view. They have fallen short of the mark with regard to the adequacy of legislation and in alerting you to problems there, or which will be there within the next few years. Enough said about that. I am sure the staff will come to its defence and to your defence, and through that they might leak out a few indications of things they are looking at in the latter part of this decade.

I made reference to our task force, which through the earlier part of this year visited eight different communities across Ontario: London, Hamilton, Windsor, Toronto, Ottawa, Sudbury and Thunder Bay. A good cross-section of people visited us. Over 50 of them presented very complete briefs.

Generally the themes addressed themselves, without a whole lot of direction from us, to changes people felt had to come on stream in the Employment Standards Act; the Labour Relations Act; on the rights of unorganized workers generally, aside from the specifics of the Employment Standards Act; women in the work place; a considerable number of comments about occupational health and safety; and, of course, the old chestnut, workmen's compensation.

I realize these estimates are not to relate specifically to the WCB because we have separate time for that, but there is no question in my mind we do have the need to raise at least a few points about workmen's compensation, particularly as it relates to rehabilitation.

Without getting into the specifics of these briefs, I found some interesting questions raised with us which we tried to word in such a way that they might elicit a response from you. I am not getting into all of them; I just picked half a dozen at random. Others will fall into place as we get into the various votes. Here are some of the interesting ones that were raised with us.

What about government employees being allowed to participate in political activities? What about changes planned in the Labour Relations Act pertaining to the petitioning process? Are any changes being planned? An old chestnut came up—I am sure you have heard it many times—what about union trusteeship being examined to allow local unions to retain assets already collected if they choose to disaffiliate from the parent union?

The specific we got into a year or so back was with the chemical workers' division of their union. As we sat around with a coffee or whatever as the work of the task force was finished and we were relaxing a bit, some union people wondered out loud: "What about these people? If they are union members, but the plant is closing up and they are finished, the union affiliation is not going to help them a whole lot."

I would ask Bob if he would like to elaborate on this a little from the film we saw this morning on the Prestolite happening. Did the workers maintain their affiliation with the same union when that plant had its second go around? Was there any attempt to reorganize or get any other

union affiliation in there? Do many of these people attempt, in their own way, to restructure in an organized fashion? I am not aware of many but perhaps you are. Beyond that, could you comment on this business of trusteeship, as regards local unions disaffiliating from parent unions?

In so far as conciliation is concerned, some of the organized people, labour people, who spoke with us felt the conciliation process was not a very effective one. There are some rumours apparently of the ministry considering changes, applying specific time limits to preclude long delays. I wonder if you could make any comment on that.

In so far as revitalizing the apprenticeship program is concerned, you have made some comments but I am not sure I grasped all of them as you were going through.

Is there any design for your ministry, as the lead ministry, to revitalize apprenticeship programs here in Ontario? Is there anything going on between you and the federal government in so far as apprenticeship is concerned, given that the labour force has to be a lot more mobile than it has been? Is there anything somewhere down the road through which an apprentice might be able to transfer from one jurisdiction to another with proper credits being given for time put in, et cetera?

What about subcontracting clauses, particularly in the building trades? I think we indicated, as a party, a year ago that we felt there was authority there now in the existing law for you to review subcontracting clauses, but are you doing so? Is there any move afoot to take a look at that problem?

Again, with our task force for the eight communities we visited the Christian Labour Association of Canada people met us and presented in-depth briefs pointing out problems they have had to contend with as a recognized group here in Ontario.

Is the ministry considering any exclusion for northern Ontario in so far as reviewing Bill 22 is concerned? That would not likely be the case, but again in the two northern Ontario visits, that is at Sudbury and at Thunder Bay, the concern of the contractors that Bill 22 was, for them, most unfair came through very clearly to us.

You have made comments about women in the work force. You have made reference to the work of the women's bureau; I had some comments planned, but in the light of what you have said I will hold them until we get perhaps a little more into the votes. But you did make reference to child care on a voluntary basis

without a whole lot of explanation. I wonder if you could elaborate on that theme.

In so far as occupational health and safety is concerned, you have covered some of the questions I was going to ask. I wondered if in the review of that particular piece of legislation, Bill 70, you would care to comment on the accuracy of the report in the *Globe and Mail* some two or three weeks ago about that bill, and then compare that with what was written in the *London Free Press* about two weeks earlier.

I do not know whether your staff has found that, but I found the two stories to be a little bit at odds one with the other, and I wonder if your staff could take a look at those two versions—I think I can help you with the *London Free Press* one; I will find it—and give some comparison, particularly as it applies to the regulations. Perhaps you could elaborate for us on the problems you have had with the regulations.

At that point I have one further question. Mr. Minister, you indicated that your present staff totals 1,500. You have indicated that your budget is roughly \$50 million. That is, of course, a noticeable increase from last year; your budget last year was in the neighbourhood of \$40 million. Depending on how you want to use numbers, it is a considerable increase.

I found in reading your annual report that some of the sections list total complement very simply, very clearly. Others you have to read around to find because there are half a dozen here and 11 there. Somewhere you must have a summary of the total you had a year ago and the total you have this year, then we could perhaps draw an equation as to how much that extra staff cost, or put in another way, what does that increase from \$40 million up to \$50 million mean in terms of total staff. Did you hire an extra 200 or 300? What was it?

2:30 p.m.

I raise that question from two concerns. I go back to the criticism I offered of your ministry as far as planning is concerned. You have had to come along within the past year, and I was delighted, as I had a quick sandwich and flipped through your press releases of this past year, to see any number of announcements of people, specifically named or named by numbers, added to your staff to help with this problem or that problem. In a sense it reflects your determination to keep up with the problems and assign people to them.

On the other hand, I think it is fair to say you are possibly ad hoccking with the problems and flying along to analyse and accommodate them as they happen, rather than looking down the road to cut them off at the pass. I am concerned

and curious about the staff you have and about your program analysis and implementation.

I asked you in our select committee here the other day about the work of that department which supports the assessment and formulation of government policy, as noted on page 33 of your annual report. If that statement on page 33 sums up the activity of that group, I would submit to you that I would go in and shake them a little bit, have them look down the road to the future as it is going to be met by us here to try to project for us what kind of problems we are looking into in the future and how they might be accommodated. I am not suggesting for a moment they have the most accurate crystal ball in the world, but surely you must have adequate staff at least to give us and you an indication of some of the problems we are going to be looking at in the 1980s that we really do not have a good handle on right now.

Mr. Mackenzie: Mr. Minister, I see you are still expressing your concerns in a number of areas. Forgive me for the observation, but just a wee bit of the bounce seems to have gone and I sense a little more combative approach on some of these issues. That is all right too, as long as you are not going to revert to a Bette Stephenson approach during your period in this ministry. I think that might be a tragedy.

I do not have a lot to say until I go over your opening statements myself. But what disturbed me was your continuing emphasis on what we are getting from other ministers in your government; that is, this government is subjected to the same economic restraint as the private sector and we had better be careful not to react, overreact or rock the boat. That is where there are some fundamental differences in your approach and ours. We think we have our problems because we have not been willing to rock the boat and because we have followed the private sector almost totally in what they see as being good for the economy. That does not give me any feeling of security at all in the future of employment in this province.

Also, even though you took care to quote from a United Automobile Workers' spokesman that the unions had gone beyond the place where they were simply there to look after their own interests and collect dues and that the corporations also recognized more responsibility for quality of working life—I am not quoting you accurately but that is the message I understood from the quote you used—I want to point out to you that my experience, which only goes back to 1943, is that the vast majority of unions have never sat on their fannies just to collect dues, but they have been involved in

social and innovative measures. I can think of the fight for medicare in this country as one example a long time ago.

I am not finding the same responsibility, Mr. Minister, with regard to many of the corporations we are dealing with, to this day. They are still out—I think Westinghouse is probably a classic example—to screw the union if they can get away with it. And it happens in all too many cases, so I don't find the equality there that leads me to have any particularly good feeling about the statement you quoted from one of the UAW officials.

I have no comment really on the Liberal labour critic's opening statement, other than his feeling that these estimates are a waste. Frustration is obvious, going into my third or fourth set now, but I don't think they are a waste. I think they are one of the most important things we do in outlining where we have problems, where we have concerns, and if we think something is wrong with the labour relations field in the province. Even though one may use a small individual example to point out some of the injustices, that, to me at least, is the purpose.

I recognize we do not resolve anything during the course of the estimates, and yes, I think the approval of the money is nothing more than a formality we are going through. But surely if workers in the province are to have any forum at all, it is going to be through the Labour estimates.

A year ago, Mr. Minister, I said—as a matter of fact I think I said it the year before as well—the outline in the Labour Relations Act, which I like to think of as being a statement that really means something, was becoming a bit of a joke. Some of the actions a year ago by companies trying to eliminate the threat posed by workers organizing for pre-collective bargaining purposes clearly outlined that. We had the cases. We had not been long through the Fleck Manufacturing case when we had Radio Shack, Fotomat, any number of examples of major corporations thumbing their noses at the laws of Ontario.

I am not sure, Mr. Minister, that we are any better off today, in spite of your encouraging words. The focus I think has shifted a bit. There may be some improvements in some areas, and I will go into them, and where there is credit due to the minister for these, we will give it. But I think there has not been a substantial improvement.

I think it is important to put that preamble into the estimates every time we are here, until such time as we see a change in direction. And that preamble is simply: Whereas it is in the

public interest of the province to further harmonious relations between employers and employees by encouraging the practice and procedure of collective bargaining between employers and trade unions as the freely designated representatives of employees.

Before I go over a couple of the hopeful things that have been happening, I want to make it crystal clear that for one hell of a lot of workers in this province it is still a joke. I think the preamble and, in some respects, the shift in focus, indicates that rather than learn from the actions taken by the ministry, those who have no use for workers' organizations have simply redeployed their efforts. There are too many examples of that to ignore it.

To give credit where credit is due, I say Bill 89, to recognize formally the union checkoff, was a positive step. Forgive me for also saying it was so damned long overdue that I have to qualify my enthusiasm. It should have happened many years ago. But the checkoff itself was a positive step.

As far as I was concerned, the trade-offs were—and I stated so in comments in the House—really an insult to labour. They were there, it seemed to me, to mollify or blunt the reactions of some of the rednecks who seem to fill some of the back benches on your side of the House.

I think it is time for the minister to remove those two insults to the trade union movement. I want the minister to know that if he will not accept my Bill 160, filed not too long ago, which would do just that, we would be only too happy to accept one from him that gives him the credit for removing those two particular insults to labour.

Bill 25 was a move in the right direction. I also figure there are some minor indications of hope in prosecutions over some of the mining deaths we see, although we have one hell of a long way to go there.

I found during the minister's defence of what was happening in Bill 70 the first things to cross my mind were the lockout procedures, and the tragic death that occurred at Algoma Steel. I don't know where the hell the ministry and the inspectors were in that particular case. There are still so many injustices for workers in this province, Mr. Minister, that I think this government has one hell of a lot to ask forgiveness for. That is why I am not going to spend too long on the credits, but there are two or three of them, and two or three I did not see a year ago. And for those I am pleased.

2:40 p.m.

I am not sure if some of the decisions that are

coming out of the labour relations board are a real conversion, or a temporary move to offset some of the criticism we have heard; or whether the staff got stung a little more than I thought in our criticism of them a year ago. Whatever happened, the decisions, such as those reflecting Radio Shack or Fotomat or Westinghouse or even the initial reaction I saw just the other day in the paper, on Canadian Gypsum, and the certification procedures there, are all welcome and hopeful measures that I really and sincerely hope are just initial and not defensive moves on the part of the ministry.

What I meant by the preamble still being a bit of a joke that can be seen only as a slight change in focus can be documented with any number of cases. It may be that for a period of time some of the pressure will be off the larger and better organized, better equipped unions, in their being able to have staff to deal with some of the problems. But that is certainly not the case with the smaller unions, or those without organization, or for those who are not organized, and certainly not in the areas of the handicapped.

The injustices for lower-paid workers in service categories, the lack of protection for security guards, the absence to date of any real help for the handicapped, and the still totally inadequate response of your ministry in terms of equality for women workers, are only some of the real hot spots you have not rectified and that I think are going to haunt you over the next few months.

Along with these areas, some of which I will outline, is yet another area in which your response is awfully slow. I am not going to go into much detail on that today, simply because we will be dealing with it under the health and safety vote, but that is the outrageous inadequacy of your actions concerning toxic substances which we discussed at some length a year ago. I still have not got it straight in my own mind exactly what kind of a game is being played here.

I can recall how long ago they were first gazetted. I can recall the time procedures we were supposed to go through. I can recall being a little shocked when I saw them regazetted in June or July just past. And I can recall also a call to one of your ministry people who assured me there was going to be a very short period of time for response to the regazetting. Here we are, months afterwards, and we still do not have set the bloody standards we want on toxic substances. We do not have the next year's list, which was to be the 1980-81 list, or the 1979-80 list out as yet. And I am wondering just what in the hell is going on with the remainder of the substances.

If we look at a debate of one year ago about health and safety and toxic substances—I think I have it all here in one of my folders—we could seriously and sincerely ask ourselves where the last year has gone in these areas. I think it is just that bad, Mr. Minister.

Examples of lower-paid workers who have little to cheer about are all too many. And I want to use just two examples if I may.

I would also like to take this opportunity to salute in passing the valiant efforts of a small handful of employees at the Fuji Japanese restaurant in Toronto, who tried to bring a measure of fairness and justice to exploited positions, of which the ministry knows. The injustice was obvious and documented, but the ministry, quite frankly, was inadequate in being able to respond to that. Maybe it was because they were so few in number and had so little political clout, I am not sure.

The examples I want to use just briefly are these. The other day I visited with the workers on the picket line at Participation House, just outside Hamilton. I talked at some length to the workers involved and then I went out and talked to two or three of the parents. Now I say parents; in one case they had two 40-year-old children in there, but that is the category they were still in, severely disabled.

I talked, not only on the picket line but in their homes, to most of the workers who are involved in that and I have not done anywhere near as much work as my colleague Colin Isaacs has. I found that these people, who have a really difficult time dealing with these disabled workers—one of the difficulties being the almost clinging nature of the inhabitants of the home, so they are trying to respond to and raise just a little bit their ability to take care of themselves in that situation—are being paid \$4.68 for the permanent workers, some of them with a number of years involved, and \$4.43 for the part-time and temporary workers. And they are out on the picket line after much frustration.

This is a most difficult job, and one that very few people in society would do, and after the lockout we have the inhabitants of that home spread over a number of other locations in this province. We find that not only is the Ministry of Labour apparently unable to deal with it, but the government stands condemned, not only from the Ministry of Labour's position but from that of the Ministry of Community and Social Services, because there is obviously a problem with the funding of the operation.

That is not an escape hatch for the Minister of Labour as far as I am concerned, but we do not find any ability to deal in a responsible way with

a situation that is really screwing those workers involved. And I do not know any workers who are doing a more difficult, more demanding job that has more emotional impact.

One of the difficulties is working with these people without becoming totally emotionally involved. I am told there were probably only about four or five out of the 38 residents they had when that lockout situation took place who could really fend for themselves in a more normal setting than they have in Participation House itself. But one of the encouraging things was I saw five different letters from them to some of the people—one was to a young girl who was getting married this week, one of the picketers on the picket line, wishing her well—saying that they wished they were back at the home, but wanted them to know that they were also supportive of them. These are inmates who are really being disadvantaged by the doggone moves.

What I am saying generally is there are a number of other cases I could outline, but we have all kinds of examples of people trying to live at this kind of salary level and we are not seeing responses from any of the ministries involved. To me that is tragic, and says we still have serious problems in terms of labour relations in the province.

I want to also deal with another one and I don't know a better example to try to outline to you, Mr. Minister, and that is the case of a strike that is currently on. It is a group that is not very strong and I don't know how long they are going to be able to hang on. Those are the food service workers at the Ministry of Transport-owned Downsview operation who went out just last week. There is a bit of background to this, and I think it is interesting to put it on the record because I don't know who in hell you go and talk to in a situation like this.

Once again it is the hotel and restaurant workers, one of the smaller unions, one of the weaker and poorer paid groups. If you take a look at the total wage levels currently in this particular operation—and I think I can find it here—they run from \$4 up to the highest one, which is a chef who was supposed to get \$6.20. He is still at \$6 an hour. He was supposed to get \$6.20 on March 1. That is one employee; the next highest for the employees in this particular operation is \$4.48.

Now, the background: I think it is interesting for the minister to understand just a little of the background in this situation. The employees, incidentally, have up to 12½ years' seniority. They have been in the same operation, and

those are the kinds of wages they are still working for.

A contractor—and this is one of the government's policies in inviting contracts—the last person who had the food service contract, said, "We cannot make a go of it with the ministry, based on the kind of a contract we have." Their contract expired; the ministry invited new bids.

I went to the minister within a matter of weeks of learning the bidder that got the job was being accepted because one of the things the workers are worried about, in not having the proper successor rights in that kind of operation, is when a new contractor comes in. As minimal as the wages are they ask, "Do any of us who have worked 10 or 12 years in this operation stay, or are we out of work?"

The bidder told the union—in private conversations it's true—that they were bidding lower to get the contract. I went to the appropriate minister, I think it was the Honourable Mr. Wiseman, and told him exactly that, and he seemed to think it was a little bit of a joke. Now that was some six or eight months ago. They had already been negotiating for a new contract for some months before this happened.

They still do not have it. They have never been able to get the new contract. But the new contractor has the food service operation. He made one concession—he agreed to take over the contract, such as it was. It was two years last April that they were due for renewal.

Now what has happened since? Well, a series of letters that to me are ludicrous. Let me read a letter into the record that was sent by the lawyers for Dalmar Foods, who were involved, to the union. And I want to read it into the record because of some of the things they are saying. I also told the minister involved as to what was happening in the situation.

2:50 p.m.

Apart from the fact I told him, and it carried no weight at all, that they bid low just to get the contract, I have been assured that the food service assessor—or whatever the ministry person is—can tell whether it is a decent bid or not. Well, as far as the union is concerned—and some of them have been in business themselves—he does not know what the hell he is talking about in assessing the kind of bid there. And they have given me a couple of instances of some of the inadequacies.

But this is the letter, dated September 30, to the Hotel, Restaurant and Cafeteria Employees' Union:

"Re Dalmar Foods Limited negotiations:

"The purpose of this letter is to review the discussion held during our conciliation meeting

at the Ontario Labour Relations Board on September 29.

"We are instructed to inform you that it is the company's intention to give notice of termination to the Ministry of Transport and Communications on September 29 with respect to the contract between Dalmar Foods Limited and the Ministry of Transportation and Communications. The contract provides for 90 days' notice by either party to terminate. Consequently, Dalmar Foods Limited shall be bound by the contract with the Ministry of Transportation and Communications until December 29, 1980.

"This contract has been a losing proposition for the company since its happening." Now we will not get it on record, mind you, but they had made the comment to the union months before that they were bidding low on the goddam contract. "The company has outlined its position to the Ministry of Transport and Communications; however, the ministry appears to be unwilling to negotiate any increase in costs until such time as Dalmar Foods Limited is under a firm obligation with the union, with respect to new wage rates and other monetary terms. Even then, the ministry has given no firm commitment that it will grant such increases, nor has it indicated a firm commitment that any increase would be retroactive.

"Dalmar Foods Limited is unable to offer any increase in wages or other monetary items at this time due to the current circumstances. However, Dalmar Foods Limited is willing to continue negotiations with a view to reaching a new collective agreement, provided that it is clearly understood that any monetary offer made to the union should be subjected to the approval of the Ministry of Transportation and Communications. Accordingly, the company is prepared to continue negotiations on this basis, and it was agreed that the parties would again meet on October 14, 1980, at 10 a.m. at the Ontario Labour Relations Board for this purpose. It is our understanding that the union would request a 'no board report' in the interim."

The argument I got constantly from the ministry was that there had to be an agreement with the union by the contractor before they would even consider a new contract for the contractor involved. Obviously, the company is saying to the union, "Unless the government moves, we cannot do a damned thing." And you have these workers at \$4 to \$4.48 an hour caught in the bloody middle, and with up to 12 years' service, and not even knowing if a new contractor comes in whether they will even get themselves covered, or there will be any kind of a successor

rights agreement with the new contractor that comes in.

Notices were sent just this past week to the employees that they would be terminated as of December 29. But also, an implication was made to the union that if they would stop the strike—they went out finally a week ago—and go back to work, they might consider their status as of December 31, when they have to have some kind of an arrangement made with the ministry.

They are whip-sawing the bloody government too, and the government, even when we tell them, is not smart enough to know what is going on. But the losers, no matter what happens in this case, are going to be the workers in that operation, if there is not some kind of protection for them.

There are a number of interesting comments and sidelines in this operation, most of which I have discussed with the other minister involved, and a kind of game playing is going on. But I don't know where the hell the Ministry of Labour is when something as obnoxious as this is going on, or how these workers, with this kind of an investment in that particular operation, are expected to live. I don't know. That sure does not give me much confidence in terms of the lower-paid workers.

We could deal with the mental retardation workers in Hamilton and the strike they just went through, and the other Participation House operation in St. Catharines, and they are just a few examples. Surely the wages of workers in operations such as these are reasons for acute discomfort for this minister, and for all fair-minded people in the province.

My God, if you take a look at the poverty level in Ontario, some studies have it around \$5,600 for a single person, and \$9,250 for two people. These are the last figures I have been able to get from revised statistics from StatsCan of June 1980: three people, \$11,088; four people, \$12,936. You have people working in these operations who are scarcely above the poverty line, some of them with a good many years' service, and I don't know how they are supposed to make ends meet.

I just have to ask you, where is the ministry in injustices like this, and where is the minister's voice? You talk about neutrality, following the private sector and being careful not to overreact or rock the boat. There are hundreds of thousands of workers in these kinds of categories and they need the boat rocked a bit, Mr. Minister.

I am constantly hearing in the committee and from your other colleagues as well about the need to be competitive. "Don't overreact"—the

Treasurer (Mr. F. S. Miller) said that "We must be competitive. We must not hurt the incentives for investment in this province. We must not polarize issues between business and labour." The business response is clearly, "Any more concessions to workers and we are going to take our marbles and go home." That is a lot of hogwash, because it is not going to happen.

I am simply saying to you, Mr. Minister, there has to be a voice for the poor and oppressed in this province. If it is not you, the Minister of Labour, I don't know who the hell it is going to be. I reject your idea of neutrality in your particular position.

Some other problems also stink, Mr. Minister, and I want your response. The Westroc dispute in Mississauga is one of them. In the course of negotiations and a last ditch effort to reach some agreement, the company's approach was to remove some of the things that were on the bargaining table, some of the rights the workers already had. Those workers were locked out in July. Three times a week a large contingent of the police moves in to take out the production which management personnel in that plant are able to achieve, and there is near confrontation every time.

One of the workers on the picket line asked me a question which I think is very apropos. I have only been there twice, but the second time, which was not too long ago, he said: "How is it that we see the arguments in labour disputes that the police are there to guarantee entry to the plant for company personnel who want to work? We want to work. We had not not yet reached"—it was the company that withdrew the things that were on the table—"a situation where we were ready to strike. We were locked out. Do you think if we called up the Ontario Provincial Police or the Ministry of Labour they would send the police in here to open the plant for us to go into work?"

The involvement does not seem to work both ways. It may seem a little far fetched, but I am not sure that we are not, once again, operating with a pretty nasty double standard in this province.

I want to turn, if I may, to the dispute I referred to you in the House the other day. That is, the dispute involving Texport transport services division of Alltrans Express Limited. I have not had a chance to get back to these people, but I sure as blazes hope you have taken a look at it.

My information is that the union began a legal strike on August 23, 1980. The chap who called me was a member of the union, though not of the bargaining unit. On October 3, the company gave an ultimatum to the union that they were to

sign the final offer by October 8 or they would close the operation and terminate all the employees. The union did not sign the agreement by October 8 and they were terminated.

The operation is still functioning, or was until recently, using Ryder tractors. On checking I found that Ryder tractors do not have public commercial vehicle licences and when they go through highway checkpoints they are just given the regular fine for not having a PCV licence. A check with the Ministry of Transportation and Communications confirmed they do not have the authority to take them off the highway. They can just fine them for the lack of licence.

To my way of thinking this is another blatant example of strikebreaking. The employee who called me was concerned about the operation supposedly being shut down but still operating with nonunion help and with equipment which was not properly licensed. He asked wasn't there something this government could do in a situation like that. I do not know what you do in situations like this, but there is obviously no justice for those employees.

I did not pull them out because I was a little short of time, but I noticed in a quick review that I have about four or five similar examples in my files for the last few months, one of which I am going to deal with in a little more depth here before I finish today.

Another example of which I am sure the minister is aware is the problem of Enzo Haulage, LN Industrial Haulage and SAF Haulage Limited in Hamilton. This situation once again shows weakness at the government level in more than one ministry, not just the Ministry of Labour, in terms of our ability to protect the workers. It is obviously a weakness in Consumer and Commercial Relations and probably in licensing by the Ministry of Transportation and Communications as well. Certainly there is more than one culprit in what is going on here.

Before putting the details on record I want to say that I am sorry John Scott, the director of employment standards, is not here today. I gather he will be when his estimates come up. I hope I am not putting a jinx on him, but I have to offer him kudos. I do not think there is anyone from whom I get more co-operation or more quickly than I do from him. I do not always get what I want, but I think that is because of the problem he has in trying to achieve some decent response for workers, given the inadequate legislation he is operating under in workers' protection. He has been helpful to the extent he can be.

3 p.m.

What really has been going on with the haulage company I am talking about? In his letter in reply to my request, after he had done some extensive work on this, John Scott referred me to the local office and I talked to them there. Before they would talk to me they also wanted to talk to Scott—perhaps they were afraid that whatever they said might get them into some trouble or jeopardize their jobs as well—and some of the information they gave me, which included a file about five inches thick on this particular operator in the city of Hamilton, was amazing.

The nuts and bolts of it—before I put his letter into the record—is that this company went into receivership in July, owing more than \$26,000 in wages to some 34 drivers, as well as a number of other benefits. Most of the work of these three operations, which are owned by one family, are at Stelco, Dofasco, Canron and some of the other big industrial operations. They have a pile of equipment and a number of assets. I am not sure that all of them were nailed in terms of the receivership.

There had been some touchy points previously in terms of workers' wages. I know they got an \$80,000 loan just a year ago, which was largely used to pay back payments for the Workmen's Compensation Board, OHIP premiums and so on.

About a month or a month and a half following their going into receivership they were back in operation with the same trucks, the same floats, the same dumps, the same welding machinery equipment—at the same locations, doing exactly the same job. But the 34 workers are still out their \$26,000 in benefits and are getting nowhere—except for four of them who, I understand, have gone back, taken a \$20 payment towards what they were owed, and are working at a lower wage now than they were originally, which I suppose is an indication of their desperate situation.

I don't know what the hell is wrong with our bankruptcy laws or what is wrong with the Ministry of Labour that we can have that kind of shyster operation where the only people who lose are the workers. It is important that this kind of situation be clearly put on the record.

The letter to me opens, "As requested, the following information is provided as an interim report on the above investigation." I am concerned about a couple of the comments at the end of the letter—and this is where we are weak, Mr. Minister "Our Hamilton region has had the matter under investigation since early in the year. Orders to pay have been served personally on Allen Fracassi, who, in his capacity as

general manager, appears to control and direct the operation of the three firms. Legally he is shown as director of LN Industrial Haulage Limited. Enzo Fracassi is director of Enzo Haulage and Excavation Limited, and Angela Sebastiani"—who may be Mr. Fracassi's wife, I understand—"is shown as director of SAF Industrial Haulage.

"The first two corporations are under collective agreement with the Teamsters' union. SAF operates as a nonunion shop.

"On July 4, 1980, an assessment was prepared, totalling \$19,903.67, for the purpose of presenting to Enzo Haulage on July 9. On July 8 we received information that Enzo Haulage and LN Industrial Haulage had been placed in receivership by the National Bank of Canada and by the Federal Business Development Bank"—who were the authors of the \$80,000 loan I talked about. "Liabilities held by the two banks totalled \$386,000.

"As a result of the receivership situation, we proceeded against SAF for the wages owing and we issued an order to pay, number 16788, against the firm. On July 24 we received further information that SAF was in receivership and that Coopers and Lybrand were the receivers in the matter.

"At this point in the investigation we have an unpaid order against one of the three firms, prepared under section 12 of the act. It is under this section that we would consider the three firms to be operating as one employer.

"We have since proceeded with the second investigation and three orders to pay were issued against the three individual corporations." He names them and mentioned the amounts of the orders, which are \$14,034, \$13,377 and \$8,658. "We now have orders to pay in the amount of about \$35,000. As of this date, the orders remain unpaid."

"The next step in the investigation is to discuss the matter with our legal counsel to determine just how to proceed. I do point out that two new companies have been formed, not incorporated, for the purpose of providing the same service to major clients, namely, Stelco and Dofasco, which further complicates the investigation. Whether these two newly formed firms can be held responsible for the debts incurred by the three limited corporations is a matter that will be discussed with our legal branch."

I don't know what is going on in something as sick as this, but I do know there are 34 drivers who are still talking to me almost daily, and who are out their money. I do not know how, under the laws of Ontario, that same operation is

continuing in the same location—the same companies, the same equipment, the same warehouse, the same everything. If we have any respect for workers' rights, we had better take a look at a number of things.

For one, I hope you were right when you said in the House you had made representations to the federal government that workers' wages would be a first priority in bankruptcies. It still seems to me that your ministry, working with the other ministries of this government, would have the authority to see that that kind of a shyster operation is not in business again, in the same location and with the same equipment, until those workers have received what is due to them. Until you can give me some answers on that, Mr. Minister, I am going to have serious doubts about our ability to protect workers in Ontario.

I want to spend just a minute or two on a couple of labour situations involving the United Food and Commercial Workers' Union, because they cover two serious deficiencies in labour legislation.

I want to deal first with the Maple Lodge Farms dispute and the emphasis on the role of police in labour disputes. I was disgusted—and when I get the opportunity, I will be saying it again—over the whitewash by the Attorney General over what happened on that picket line. Mr. Minister, I tell you bluntly that unless I am totally blind or an absolute liar, and I am neither, what went on the first day I was on that picket line had no relationship whatsoever to the kind of report that was issued in the House. Even a sceptical look at some of the CBC film clips would lead one to wonder whether it was all as innocent as it appeared to be.

Not only officers on the scene, including the sergeant in charge, but also the inspector on the occasion that I was hauled into his car, told me they were there to see that access to that plant was guaranteed. When I argued with them that the workers on that picket line had a right as well to talk to the people coming in, he told me, "The people coming in don't want to talk to them." I asked him if he had talked to them all, and he asked me why I was raising this question and what business it was of mine.

Whether or not the people coming in wanted to talk to the strikers was not at issue at all. The workers were in a legal strike situation and on a legal picket line. They had a right to form a legal circle at that plant gate to stop the cars and trucks going in. But the police very quickly—I think all too quickly in most cases—had a right to open the line up and allow access. The strikers had a right to talk to those people,

or to try to talk to them. They were not being given that right on the day I visited on the picket line.

When I said, "They have a right to stop the people going into this plant," I was told that if they were to let them stop the people, apart from the fact that those people did not want to talk to them—which is an assumption the officers involved had made themselves—the picketers might get hurt.

I said: "Well, isn't that a chance they are taking when they operate this kind of picket line? Isn't that also one of the things you are here for, to see that the people in a legal strike don't get hurt?" I was told that they might be held responsible if any of the picketers did get hurt, which was why they were not allowing them to stop them. At that point they were opening the line to allow an entire convoy of trucks and cars to go in and they never got a chance to talk to any of them.

The point I am trying to make is the reaction that was thrown at me when I said, "You have an obligation to these people as well; you have an obligation to be neutral." That is just about where the conversation came to an end and I was invited to leave the cruiser. The inspector said: "We are neutral. The only people who ever say we aren't neutral are you and your party."

So I said: "You know, I must have talked to 60 or 70 of the workers on this picket line this morning. I didn't find one of them"—just as I didn't at Westroc or almost any other picket line I can take you to or talk to you about—"who thought the role of the police was one of neutrality on that picket line. They all saw it as allowing access to that particular company or plant." His flippant comeback was, "Well, maybe them too," meaning the workers.

I helped them because that morning, for some reason or other, some of the union officials were not on the line and the employees themselves were milling about a bit. They are new Canadians; they are Portuguese; they are women; and they were not sure of their rights. I have made the point a number of times and want to make it: I was asked to go there because they wondered, because of their treatment by the police, if somehow or other they were not obeying Canadian laws; did they or did they not have the right to do the picketing in a legal picket line situation? I was asked by the union if I would go out and talk to them and lend some support and tell them what kind of a situation they were in.

3:10 p.m.

When I quickly tried to get them going in a proper circle and moving by twos, and got a couple of the Portuguese lads doing a bit of

interpreting for me with some of the women whose English was not that good—the majority on the line were English-speaking—the comments from some of the officers on the scene were, “They do not even know what the hell a circle is.” I do not know where you will find that a neutral role. Maybe it was innocent, but it was sure as hell a shutdown of these people.

This is the kind of situation we had there, Mr. Minister, and when you put it alongside Westroc, Fleck, Radio Shack, quarry strikes, the role of the police was clearly designed to allow access. I cannot give you a single case—I would like one from your side of it—not a single case have I seen or been given by strikers in any strike situation where strikers thought the police role was in their interest. I would like to have it, just to say there is one somewhere in the province.

We do not have a fair situation in what amounts to the misuse of our police force against workers. That is not only the perception as I see it, Mr. Minister, it is the fact of the situation. It is very unfortunate in a situation like Maple Lodge Farms, because it gives those workers a serious reservation about the role of the police in a country of which they are new citizens and in which they have some pride or they would not have come here.

The other case, Mr. Minister, is the Wellington Mushroom Farm and the board decision there. I do not know how long we wait; I do not know how long an injustice that is as obvious can continue. I do not know whether even an order in cabinet is possible.

It seems to me this situation is such a blatant violation of workers' rights there should have been action long before this. Your own board said, “We accept the applicants' contention there is no industrial relations basis for denying the respondent employees the right to bargain collectively, neither can we discern any tangible prejudice to the respondent if the employees in its mushroom factory were entitled to the same statutory rights as their fellow employees in the soup factory.” It is the same company. Your own board also says, “There is compelling argument for review of the legislation in so far as it excludes individuals in situations similar to that of the respondent employees.”

Mr. Minister, as I see it, if there is any fairness in your ministry at all you have no option but to correct that situation where a very basic right is absolutely denied by your government's legislation for these workers. I do not know how anybody in his right mind can argue otherwise in the case of the Wellington Mushroom Farm and the fact that the exclusions there, in what is certainly an industrial farm operation, are work-

ing to the detriment of those workers who are involved. It just does not make sense.

I sometimes wonder if some of these situations do not make a case that even you can accept, finally, for legislation against strikebreaking and also for charging for police wherever their services are requested in a labour dispute.

I wonder what would happen if the party requesting the police assistance was forced to pick up the bill for that assistance. My God, in Fleck's case it would have been \$1.5 million, by the figures we had filed in the House. But even in some of these other cases I suspect the bills would be in the tens of thousands if not hundreds of thousands of dollars. Maybe the companies involved would not be quite so willing to use police muscle on workers in a strike situation if they had to foot the bill for it. It also points out the necessity to make changes, as far as I am concerned, in the Labour Relations Act.

I will not go into them, but we have two or three bills that we have filed in this session of the House, one of them dealing with strikebreaking. I want you to know we have no pride in authorship. We would be quite willing to let you bring forward a bill and take full credit for the legislation and forget our bill was on the Order Paper, if you would only take some action in these areas.

The problems in organizing the lower-paid workers are as great as they have ever been. We have not seen the initiative from your ministry that would assist these workers most in need to change their situation and to achieve the strength and hope that they have through organization together.

I commend you to the submission of the Ontario Federation of Labour before the standing procedural affairs committee just this past September. Surely only the most reactionary individual could really believe that these suggestions, which would assist workers in meeting the criteria of the preamble in our Labour Relations Act, could somehow undermine our economic system and threaten the cherished private enterprise dogma of both the old parties. That is ridiculous.

If we take a look at the brief, it can be seen some of this goes back a long way: Dismissals during union organization: I am just going to the summary of it that was before the committee —“On the filing of a complaint of dismissal with union activity an employer should be required to reinstate the worker in employment until the board determines whether just and reasonable cause was the real motive for dismissal.”

Petitions: The record of abuse or irregularities in management inspiration of petitions is so

clear that these statements opposing certification should be dropped totally. They should not be allowed there, period.

A hell of a lot of years ago—I forget the actual number—I had the experience of going before Judge Finkelman at the time with a number of small, back-alley plants. I think I have said this before, but I organized the Windsor area. I think we had a petition in damned near every one and I think every one of them was finally discredited. One or two of them were allowed, as I recall, but if it was not company lawyers, it was a secret meeting; we were able to trip up some of the witnesses in the stand with one of the company's supervisors. The supervisors themselves drafted the goddam petitions. I really do not know why we take so long.

First agreement arbitration: from all of his statements, the minister is obviously not very hep on that, but I think it is one of the areas that might force more meaningful bargaining. We still think there is a role for this in spite of the minister's position on it.

Enforcement of board orders: "Generally the board's jurisdiction should be extended to supervise all of the law on strikes, picketing, secondary boycott, and should be protected from judicial interference."

I think all of the points made in the brief here would assist workers to organize and are damned good suggestions.

I also want to deal with two additional special categories of workers who not only earn very low wages—in most cases minimal, with minimal benefits—but are almost ignored by this government, and I fear, by this minister's priorities.

First, Mr. Minister, once again, domestic workers. Their lot has not changed. Pardon me for laughing, but they still have to rely on those "close personal relationships" commented on by a couple of your members who spoke against that bill in the House, those same close personal relationships being one of the reasons why we cannot cover them under the employment standards. They have to rely on those same Conservatives in society who shaft the hell out of them, where they are mistreated as employees.

Does it not bother you, Mr. Minister, that we have no protection, not even the minimum, under the employment standards? Do you not feel a little bit ashamed, as the Minister of Labour, that we have not offered them a helping hand? Your expressed concern alone does not buy them a damned thing. No justification I can see, or expressed to me by a single one of your colleagues, would allow me to look at myself in

the mirror if I were in your shoes and if I had not corrected the stinking, lousy shuffle we are giving to domestic workers in Ontario.

I think the time for corrective action has come. I do not know how you make a case against it and I would like your response. I want to remind you we have a bill here as well that we would also gladly turn over to you for credit if you would move in this area.

Another area, Mr. Minister, and I have been on the verge of personally marching some of them over to your office recently. For some reason or other—I did not invite this and I do not know why it is happening—I am having an influx of security guards to see me in my office. I have talked to eight or 10 different ones, and two groups: one of three and one of five or six. One particular chap has been doing his damnedest to talk this issue up for some time.

If you take the work and the conditions and the hours, in many cases, they are working under, they are also an exploited group in our society and there are thousands of them in Ontario. Fear is still a factor in their employment and in their lives. By the very nature of the occupation and the relatively low wages they receive, many older workers are involved and a fair number of workers who took the job more by necessity than by choice. I found that with the few younger ones who are in it; there seemed to be no other avenue open to them.

This government's legislation does not allow the inclusion of security guards in a bargaining unit. It is an obsolete measure. It is a measure that does not allow for protection and fairness to these workers, and I would like your response to a large number of those people who are working as security guards as to why.

It is very difficult to organize them as a separate unit. Surely the minister or anyone with any understanding of organizing the labour relations field will understand that. It used to be a fear at one time, but very few unions, and certainly not the Ontario Federation of Labour, have any reservations against their being organized into existing bargaining units.

I want to deal just briefly, if I can, with the question of the minimum wage in Ontario. Is this another one of the things we are afraid to do for fear we might rock the boat a little bit? I find it difficult to understand why we have not moved before this on some changes in the minimum wage.

If I can just take a minute to find the sheet or the comments I have on it, the case I want to make simply relates to the fact we raised the minimum wage to \$2.65 on March 15, 1976, to

\$2.85 on August 1, 1978, and up to \$3 on January 1, 1979.

3:20 p.m.

Mr. Minister, if you have looked at the figures I am sure you are aware that we have consistently been behind a majority of the other provinces. I have to ask you, is Ontario that poor? Are we so insecure in Ontario, which is still the richest province as far as I am concerned and that is notwithstanding Alberta and their oil wells, that we cannot set an example of concern for wages of those at the bottom end of the scale? What are we giving them in minimum wage? Not a hell of a lot, and it looks pretty sick when you compare it once again with the poverty levels.

We have now Ontario at \$3; we have Alberta at \$3.50; we have Saskatchewan at \$3.65; we have Manitoba at \$3.15; we have Quebec at \$3.65; we have New Brunswick at \$3.05; we have \$3.15 in Newfoundland; we have \$3.50 in the Northwest Territories. What in God's name is wrong with us in Ontario in terms of the minimum wage, or do we buy blindly the argument that this is somehow or other going to affect jobs? Jobs at that level should be affected, Mr. Minister, and that point should be made very clear.

I want to comment also on the continuing unfairness of the \$2.50 an hour wage for those serving in the beverage industry in this province. If justice is for everyone, Mr. Minister, then you had better find a way to deal with the large majority of those employed in the trade who do not make the big buck. You had better find a way of ensuring that those who do work get the benefits, or at least that they themselves are involved in setting the guidelines under which they split the proceeds. It is always difficult to prove the misuse of tips, but let me tell you the perception of those who work in the industry is that they are misused, and by misused I mean the feeling that in some cases, wages and additional benefits are paid out of the tips as well.

In addition to this dishonesty, and I think it exists, there are more borderline misuses I want to cover in serious examples. I spent some time out of a fairly busy Sunday down at Niagara Falls at the conference of hotel and restaurant workers just this last weekend. I took the trouble—and I am going to give you a few exhibits here—to talk to a number of them.

As well as being able to speak to their session, I spoke individually to some of the people who have been discussing with me the problems they have and the misuses of tips in this industry and the wages they are operating under. Let me tell

you there are darned few of them in that industry who can qualify for a \$40,000 mortgage on a house in Ontario today—darned few of them—and I went into their wages with a number of people who were at their convention in Niagara Falls and it clearly indicated that statement is right. Many of them were the heads of families as well, and I wonder just what kind of category we put those in. Those who are making the big bucks in a few fancy establishments are darned few.

Tours: Just to give an example of it—one little example and there are dozens that could be picked up—they had about 50 slips there they had covered for me. One particular Gray Coach tour had lunch in the hotel and the gratuity was only \$53.55. To begin with, the gratuities do not come anywhere near what a lot of people think they do.

One of the little ripoffs is the host or hostess in these operations, who automatically gets a certain figure off the top. In this case, the hostess, who did no more than direct the people into the particular dining room, got \$13.38 out of the \$53.55. The waitresses involved split the balance, \$40.17, and got four-something dollars apiece. That was their share of the tips in this case.

In another case the total gratuity was \$36. The hostess—I will not give her name; it is here in this case—got \$9; the waitresses who did the work got \$6.75. In another case the gratuity was \$68.40; \$17.40 was the hostess's share and five waitresses split \$51.30.

In another case involving \$104.58, \$26.14 went to the hostess; the girls and the busboy got \$8 apiece. They did the work, I want to point out very clearly.

In another case the tips were only \$26.77, but the hostess picked up \$6.69 and \$20.88 was split among the waitresses, who were brought in specially for these kinds of operations, at \$3.68 apiece. I am not sure it is worth going into any more of the eight or 10 that are here.

To give you an idea of what I am talking about, there is a widespread perception of those working in the industry that in some cases a percentage for other people, over which they have no control, is taken off the top before they get the split in the tips. And tips are one of the excuses this government gives to justify the \$2.50 an hour wage rate we pay these people.

I did not know they were doing this, but I found to my surprise one of the things they had on the floor for discussion was Bill 66, which I filed a year ago, over the distribution of tips. They had reproduced the actual bill out of somebody's Hansard or the records here in the

House, and they had it on the floor of the convention. I had to bring some of them down to earth a bit from their excitement over what they thought meant something.

I said: "I am sorry, that is a private member's bill submitted by Bob Mackenzie because the situation stinks, but I see no indication whatever that the minister is ready to move. A private member's bill quite frankly does not mean much, apart from giving us a chance to emphasize the situation."

They had prepared a letter to William Davis, Premier—I hope to present this in the House as a petition—and they had included the wording of Bill 66, which covers waiters and waitresses in Toronto and the peninsula. They had done it very quickly, in just over the two or three days of the convention, and they had signed up no one but waiters and waitresses and two or three of their people in the union who were directly involved. The number of names and the number of cities and towns and locations represented was surprising. It meant a lot to them, because they saw clearly an injustice that was being done to workers in this particular area.

The thing I feel bad about—I never thought I would feel bad about submitting in this House bills I think make sense—is that we may have given them some false hope with that bill. Somebody grabbed hold of it and said, "Somebody is finally trying to do something for us in Ontario." It is long overdue, Mr. Minister.

One of my colleagues will be dealing in a lot more detail with some of the problems of the handicapped, as we will be doing in safety health measures, so I only have a couple of comments to make on them. I want to deal once again with the total inadequacy of this government's action on behalf of the disabled, particularly those disabled who wish to be self-sufficient and have more serious problems than some.

I think this is the fourth set of estimates in which I have raised these concerns, and the improvement in those four years is minimal: just appointments of new people to look at the problem a little more. This government and all of us as legislators—I am including myself—should hang our heads in shame. In a democratic society like ours a real measure of our compassion is how we treat people in this situation. I think we have failed miserably.

I am forced to wonder if it is not just lack of political clout on the part of these people at the bottom end of the ladder. Many of the disabled do not even get out to vote, which is one of the reasons they have not had action from this government before now.

I received a call from one of the activists on

behalf of the handicapped just the other day. He asked me if there was anything I could do to increase the government's awareness of their plight through the Labour estimates. They have obviously been talking to you; I know they have talked to others.

He said: "Can you do something? Can you put on some pressure for our concerns?" I said to him, "Give me a short note and try to respond just to four or five little things that probably mean the most to you." And certainly the least I can do is raise them in the Labour estimates, Mr. Minister.

3:30 p.m.

I want to read into the record the letter he subsequently sent to me. It will take me just a second to find it.

The letter came from one of the activists in BOOST, Blind Organization of Ontario with Self-help Tactics. He did not mind being named; it was John Southern, employment consultant to BOOST. His letter to me reads: "Mr. Robert Mackenzie, NDP Labour Critic, Legislative Building, Queen's Park."

It says: "Mr. Mackenzie:

"This letter is in response to our recent telephone conversation. I asked if you could bring some of our concerns on employment of the disabled to the House when the Labour estimates come up for discussion. Here are a few of our major concerns:

"1. Quota system. We would like to see the province of Ontario adopt a three per cent quota for private industry for companies employing more than 20 people."

Before I go on with the letter, Mr. Minister, I have told you and I have said in these estimates before that I understand some of the arguments against that. I share some of the concerns. But I came to the conclusion after my second set of estimates that if we were not going to go that route, we were not going to see any meaningful placement of people who could do some work in the community. So I have come around, not because I think necessarily it is the best answer, but the only answer we have to deal with them. And it would appear that some of the seriously disabled groups are also finally coming around to that point of view.

"2. Affirmative action. We would like to see the government of Ontario adopt a positive affirmative action program within its own public service for employing the handicapped and other disadvantaged groups."

In spite of what you have said, we have not done enough, Mr. Minister.

"3. Workshops. More meaningful work should be provided for disabled people employed in

sheltered workshops and more stress should be placed on the training aspect of the shops."

There are a number of people in our caucus who have been looking into that recently and I could have a number of things to say about some of the sheltered workshop operations we have in Ontario.

"4. Minimum wage. Minimum wage exemptions should be abolished for disabled people, both in private industry and in workshops."

You know, if we gave the minimum wage, even in a workshop operation, we sure as hell would not be handing them a piece of cake. We might hand them some dignity and pride, an ability to meet some of the doggone bills which then might come off the other end in terms of what we now have to do to take care of these people.

"5. Contract compliance. We realize that the quota system is unpopular with the Ontario government and the private sector"—I guess they read some people correctly. "An alternative would be contract compliance. Companies holding contracts with the provincial government should have to establish affirmative action programs for hiring the mentally and physically handicapped.

"I hope this information will be useful to you, not only as a reference during Labour estimates, but also at other times when disabled employment issues arise in the provincial House. Not only does this letter reflect the views of BOOST but, as an unemployed person with a disability, these points reflect very strongly my own thinking. Feel free to call upon me at any time if you have any questions on these particular issues.

"Yours sincerely, John Southern, Employment Consultant to BOOST."

I could not do it better, Mr. Minister. The frustration and the need for action comes through in that letter from these people and, as I say, this is the fourth set of estimates in which I have gone into this. The epileptic cases I have raised a number of times still plague me in my office and are still a factor in somebody trying to get a job in this province. We have not dealt with it effectively at all.

There are a number of examples that could be cited. As far as I am concerned, the situation is not only sad but it is totally unacceptable that people should be subjected to the kind of putdown and rejection that is the lot of those who are already at a disadvantage compared to the rest of us.

As well as the seriously handicapped, we have a large number who suffer, as I said, from epilepsy, and those with other physical and mild mental disorders. We have given them no hope

and some who want to work have been so totally rejected by the system they are in total despair that borders on mental illness and have lost all faith in the system.

Once again, if I can find it quickly—I brought a file with me which I had not intended to use. It concerns a chap—I will name him—who has been writing letters and screaming to high heaven for a lot of years. He is Henry Michalec, 766 Barton Street East, who is living on an allowance of less than \$300 a month in a single room, and that has been for a good number of years now, in Hamilton.

He is an epileptic. He may or may not have caused some of his own problems in his feeling that the system rejected him. He was let go by a firm after a good number of years there—there was no really adequate reason for his being let go—and he has never really been able to get employment since. He is pretty good with a truck, but his epilepsy obviously means, even though it seems to be under control, he has no avenue there.

He has written any number of letters to the ministry—you will find a file on him, I am sure—to the Ontario Human Rights Commission, to various ministers in this government, to various rehabilitation services. He clips almost compulsively every item involving the inhumanity of our dealing with these particular people. I only brought with me a half a dozen that he has turned over to me. I almost get embarrassed because he comes in weekly with his latest series of clippings and when he sees something that seems to indicate some hope.

What has happened to Mr. Michalec is that it has become an obsession with him. He has totally given up on the system in this province and he feels the only thing they are going to do is misuse Henry Michalec in terms of any opportunities he has in society.

I wish the minister could sit down with him. He can be aggressive, he can be angry; sometimes I am a little bit fearful. But let me tell you, the system sure has not worked for the Henry Michalecs of our society and we have a lot to answer for when we cannot do better for people like this.

He has reached a level of anger, as was obvious to me the last two occasions he was in my constituency office—the last time was Monday night. He is ready to do battle with anybody and everybody and to hell with the results of it. He has nothing more to lose.

Mr. Minister, I do not think you can be proud at all, in spite of your statements, of your record to date or this government's record in terms of

the disadvantaged and the handicapped. You have got one hell of a long way to go.

Very briefly on the toxic substances. We have been after the standards for so damned long—and I wish I had taken note of the name of the individual I talked to in your ministry when I was literally blowing my stack, I will admit, over your regazetting in July of the first list, the ones we should have had back since 1978. I was told they were being regazetted but they were allowing a very short period of time for response. That was what I was told on the telephone. I think it was within 30 days or something, or less than that, that the responses were to be in by in July.

I do not know where we are yet on those. I am not clear from what you have told us. I hope you will go into some detail when we get into the health and safety division of this ministry.

But let me tell you, that is the first small handful of toxic substances. I am wondering where the next group are, in the list you gave us in the estimates a year ago, over the next four years. My God, we have not seen the gazetting of the next and we are almost through 1980. We are about two or three years behind and we expect to be a year further behind each year that goes by, in terms of the toxic substances.

It is just not good enough. I do not who is responsible for the snail's pace, but somebody had better take a look at it.

The other situation I wanted to deal with just briefly is the volumes of correspondence between yourself and Paul Falkowski of the United Steelworkers' district 6 office here in Toronto, correspondence that in some cases I have been involved in with you, as well as my colleague, Elie Martel. I do not know, Mr. Minister, whether it is accepted by everyone in your ministry or not. I think I learned long ago that no one has all of the answers. It is when we are getting no answers at all that I begin to get upset as hell.

Paul Falkowski does not go back a few months, he goes back years. When I first came into the Steelworkers, he had begun to be a name in these matters. That was 15 or 16 years ago.

He is pretty well known for his research. I know it prompted this letter to you from my colleague, Elie Martel. I really wonder what is going on in terms of asking the specifics. And I say specifics because when there is a letter from Paul Falkowski there is something he is concerned with.

Obviously some people do not like him and the paper wars have referred to his bothering some people, but why are we having such problems in getting some definite responses to

some of these problems? Why can he not sit down at a meeting with some of your staff and get action? As was pointed out here, he can get action maybe as long as someone at the deputy minister level is there, but when he leaves, it runs into roadblocks. I will not get into names here.

3:40 p.m.

What is going on? Why are we having such difficulty in dealing with the specific issues and cases he raises? I cannot understand why we get a letter outlining the specific cases, why letters are sent to you by people who you know and who you know are square. I respond only to add whatever little weight I can as the labour critic and say, what is your response to this particular letter and why can we not sit down and resolve or negotiate some of these problems? And they do not get resolved. Who or where is the stumbling block in your ministry? I think that should be answered and should be answered pretty clearly.

Under safety and health we are going to go into some of the examples. We are certainly going to be talking about the lockout procedures and the death of the worker involved in Algoma. I will give the minister some advance notice we have a number of serious questions to ask and raise on that particular issue.

We are going to be asking about some of the problems at National Steel Car Corporation. I was waiting for this call which came in while I was talking earlier. The safety and health chairman called from the National Steel Car regarding the court hearing for the death of Theodore Katotikidis. The ministry brought charges in this case against National Steel Car. The hearing was held this morning. The court dismissed the charge because it was not necessary for the workman to be in that part of the plant, so his death was his own fault.

My God, Mr. Minister, I know some of the circumstances of those deaths at National Steel Car and I know some of the conditions there. Not last year, but two years ago I was raising the fact that we had some of the lousiest safety conditions and lousiest management. There has been some improvement over the last year, but there is a long way to go yet in the attitudes in that plant. We have had workers maimed and killed in that plant.

Because the worker was not in the right work location on the particular job we are going to dismiss the case in court. Where in God's name is the justice to workers in a case like that? I wonder what is happening to our concern.

I was a little bit annoyed, a little bit upset at your comments which were defensive, obviously,

right off the bat, at some of the views that the ministry is shirking its responsibility on Bill 70 and the safety and health legislation. Your people must have been monitoring the recent conference that had from 200 to 400 people in the hotel at any session. I was there. I have talked to a number of the people since. I have had extensive talks with Linda Jolley and some of the other people involved. There is a real concern over the ministry's policy. Let me see if I can find the comments I wanted to make to a number of areas in Bill 70.

The internal responsibility system in your operations manual, which you call "internal responsibility system cyclical review," and the philosophy of it, was an almost universal question mark or reservation or doubt with those people who were involved. The feeling was that the ministry was trying to cop out of the responsibility in a number of cases by referring them back.

Here are some of the things that are going on: Inspectors are suggesting that instead of the right to refuse they use the grievance procedure. You know the right to refuse is for an urgent situation, for a situation where there is some real danger. In a situation like that you sure as hell cannot respond with the grievance procedure.

You can say it is not so, but let me tell you there is a strong perception in the work place that inspectors are harassing and charging workers in a manner the supervisors in the operation do not seem to be exposed to, to the same extent.

The reliance on internal responsibility. I want to make it very clear, I feel a little bit guilty in this because I can recall myself saying two or three years ago, when we were debating Bill 70 and Bill 139 before it, that if you would give us the legislation and the equality in terms of the health and safety committees in the work place, damn it all, we would try to make it work, that we would do the job in those plants.

What I was forgetting, and this is why I laugh a bit at the corporate responsibility, is that it will work internally and we will make it work only if we operate from a position of equality. Those committees and the unions are not equal to the companies they are dealing with. As long as that is the situation, then the policy of internal responsibility is going to take you right down the drain in terms of salvaging a decent Bill 70.

I think you had better understand it because that is coming from leaders, from delegates. And not from one or two. That was a widespread perception throughout that conference on safety and health matters. The internal responsibility mechanism and reliance on it is not going to

work without equality and we do not have equality in the work place.

As I said, I want to leave the particular issue of lockout arrangements and their tragic result to a later stage, but I could not help—well, I will not go into it now. The comments on that particular accident and some of the problems we have had—I had not read this before, but I see somebody has ticked something off for me in the Ontario Federation of Labour's bit on occupational health and safety: "A more serious concern, however, is the Ministry of Labour's reliance on the internal responsibility system to ensure ethical compliance by both labour and management. The ministry has indicated that employers and employees have the primary responsibility for occupational health and safety and the inspector is to act as a facilitator to encourage the development of this internal responsibility system."

There are other comments, but we will leave them for the safety and health vote. I am just simply saying to you, Mr. Minister, that as long as we are not operating from a position of equality that ain't going to work, and your ministry had better understand it and there had better be some direction to the inspectors to start enforcing compliance.

Mr. Minister, there are a number of things here that I would like to raise as well, but it is getting a little late. I will re-slot my remaining remarks into the specific votes because I do very much want to spend a bit of time in that committee on plant closures.

I hope you understand that while we appreciate the few gains that have been made there is one hell of a long way to go. We do not share your enthusiasm over where we stand in a number of key areas that are the responsibility of your ministry, neither do we as yet share your idea that somehow or other your ministry plays a neutral role. As I said a year ago, there are all kinds of advocates within this government for the business community. There has to be an advocate somewhere for workers in Ontario and I do not know who else plays that bloody role.

Mr. Chairman: I gather the minister would like a powder-room break.

Hon. Mr. Elgie: Don't put it that way. Could we have an intermission?

Mr. Chairman: Yes. A five-minute intermission.

The committee recessed at 3:47 p.m. and resumed at 3:54 p.m.

On resumption:

Mr. Van Horne: Mr. Chairman, I would like

to add a supplement to one of Mr. Mackenzie's remarks, if I could; a very brief supplement. It is just by way of observation and I am sure it helps his case in so far as dealing with handicaps is concerned.

Henry Michalec from Barton Street, Hamilton, also visited our task force when we were in Hamilton last January and followed it up with a variety of clippings not unlike the ones he has passed on to Mr. Mackenzie. I say this simply by way of support to Mr. Mackenzie and by way of underlining to the minister the concern we have for this gentleman and people like him, both for the unfortunate physical circumstances, whatever they might be—in his case, epilepsy—but also for the accompanying upset that gentleman has had in trying to cope with the situation and in living what is almost a life of desolation and despair.

I would hope—again, to underline Bob Mackenzie's comments—that someone in your ministry with a little bit of compassion and understanding could sit down and talk with this guy because he needs help. He really needs help. I would hope that someone on your staff would take the time to do that, with two views in mind.

First, with regard to him specifically, I perceive him as a sincere guy but a guy who is in despair and who needs some kind of counselling and help; beyond that, the ministry would get an understanding of what other people like him need.

Again, I just wanted to say that, and I thank you for letting me have the opportunity to do so.

Hon. Mr. Elgie: When we get to the handicapped employment program, Barbara Earle has some comments about the employment of the handicapped.

Mr. Mackenzie: Could you also respond to one tiny remark on page 48 of your 1979-80 annual report? I did not deal at any great length with women's issues because we intend to spend a good chunk of the remaining estimates hours on women's issues.

There is a comment on page 48 I have a little difficulty understanding: "During 1979-80 the director and other staff participated in a number of ministry committees, providing input into the development of policy affecting the employment of women. The women's bureau will participate in the planning and monitoring of the upcoming expanded equal pay program."

Would I be hoping for too much if I hope that is an indication you might be coming in with some legislation in some way resembling my colleague's bill? Just exactly what does that comment mean?

Hon. Mr. Elgie: What that comment means is that the then director of the women's bureau—who, as you know, has left us and gone to what we think is a very important post in Ottawa—and one of her assistants took a very active role in the training of new employees in the employment standards branch who were specifically designated to deal with the equal pay program. That is what that comment means.

I think I indicated in my statement there are certain matters within the concept of "work that is substantially the same" that I think should be addressed, and I will be putting some of my suggestions to my colleagues for consideration. I have made it clear in remarks I have made that things like use of the composite test within the concept of "substantially the same work" could remarkably open up the comparisons, and I am hopeful that that sort of approach, along with some other things I think need to be tidied up, like the definition of an establishment and two or three other things, could indeed enhance our capacity and our capability to enforce the equal pay program.

Mr. Mackenzie: We were wrong in thinking that maybe that signalled some specific bill.

Hon. Mr. Elgie: I have made very clear the trouble I have with the equal value concept, not with the principles of it but with the applications of it, and I do not think I really need to repeat them. Those views have been expressed many times.

Mr. Mackenzie: We did not know whether it offered some real hope or whether somebody had just forgotten to pull the sentence out of the report.

Hon. Mr. Elgie: No, no. I have already indicated to you that I do see room to make some recommendations to my colleagues about certain aspects of equal pay, and I shall be doing so.

Mr. Mackenzie: This says "monitoring the upcoming . . ." You are just telling us you are going to be making suggestions to your colleagues. This does read a little more positively than that, Mr. Minister.

Hon. Mr. Elgie: "The upcoming expanded equal pay program" That was written in anticipation of the expanded staff and the media campaign and the generally increased awareness, and so I do not think it is inaccurate at all. I think it reflects the time when it was written. This refers to 1979-80.

I thank the Liberal critic, Ron Van Horne, for many of the very important comments he has made. If in my remarks I do not respond in sufficient detail, I hope you will feel free to raise

the questions as we get to the specific items, because you did cover, as did Mr. Mackenzie, a very large number of topics.

4 p.m.

You referred to a lack of planning in the Ministry of Labour, particularly with reference to the staff, and you suggested some of them might be letting me down. I would like to think you do not really mean that, because I have to tell you in all sincerity that, knowing the members of this staff and knowing the calibre and the quality of these people, I think we have probably the best collection of senior and middle staff and staff in general of anybody in this country. Although I accept your criticisms and although I may not always have done the things you see as necessary, I have to take exception to the fact that you feel they are "letting me down."

As one example of that, you mentioned turbulence in the past year because of certain legislation that perhaps was not properly prepared and presented. You specifically singled out amendments to the Labour Relations Act, Bill 204, which extended the bargaining rights, as you know, and Bill 73, which corrected some minor problems which had been pointed out to us by some building trades councils.

I do not know how one could approach it differently. One selects a group of people from the construction industry who are thought to be knowledgeable and who represent a wide variety of groups within the construction industry, and one takes their advice. The construction industry review panel, as you know, constitutes a wide representation from management and from labour. After many months of discussion among themselves, they finally made recommendations to me which were encompassed in Bill 204.

If that is not planning, if that is not listening to the people you consult and if that is not trying to achieve a consensus, then, frankly, I do not know another way to do it. I think that is a very effective and honest way of trying to deal with problems in society by way of consensus and by way of realistic suggestions.

Somewhere along the line there was a point in their recommendations to me that was overlooked, and that had to do with certain matters that were brought about in Bill 73. But to say that represents inadequate preparation of Bill 204, I think, is stretching it a little bit.

I would hope that if you wish to reflect further, you will pick up the phone and speak to someone we both know in London who is on that advisory committee, to see whether or not he would agree with the view that I was given matters and recommendations that were not properly prepared.

I have to reject that. I have to say I think it was an appropriate and accurate response. When that matter was brought to our attention, we dealt with it in an appropriate way and ended up with a province-wide bargaining system which is working very effectively. I know there are some objections to it among certain segments of the community, but if one compares how things have gone in two sessions of bargaining one cannot but say that things are a lot better.

In 1978 the matters addressed in Bill 204 caused a very prolonged carpenters' strike which caused major disruptions in the construction industry, and those have been corrected. There were one or two short-lived, minor strikes on this occasion which in no way interrupted the construction industry in any significant way. An outside, honest appraisal of the construction industry bargaining situation in this province would reveal that it is really working pretty effectively.

Mr. Mackenzie: Some of the building trades might give you an argument on that, Mr. Minister.

Hon. Mr. Elgie: We always try to do what is best, try to achieve balances in society that benefit most people. There will always be some groups on all sides that will say it is not perfect, but, for what it does and for what it has done for this province and for what it has done for province-wide bargaining in the construction industry and the net effect of it, I think it was worthwhile.

Mr. Mackenzie: I am not saying the problem is all yours, but you get a number of locals that have no say in the contract they are going to sign, period.

Hon. Mr. Elgie: Is that a problem with the bill or is that a problem within the union?

Mr. Mackenzie: I think it is a problem of the ministry's, as well as internally, but I accept that there is an internal problem.

Hon. Mr. Elgie: I think it is an internal problem.

Mr. Mackenzie: Oh, no. I am talking about it in terms of the Labour Relations Act.

Hon. Mr. Elgie: Well, why isn't it a problem all over the province then? You have pockets where it is a problem. I suggest to you there are some internal problems they have to work out.

Mr. Mackenzie: With the reinforcing rodmen, it is a problem totally.

Hon. Mr. Elgie: In any event, I think my comments still stand. The fact it is working so well in a general way has to suggest to me if

there are pockets of problems there are local situations that need to be addressed internally.

Mr. Van Horne: Mr. Chairman, may I make an observation at this point or would you prefer that the minister finished his remarks?

Mr. Chairman: I would prefer that the minister complete his remarks, Mr. Van Horne. I think that is the most expedient way to do it.

Mr. Van Horne: Fine. Thank you.

Mr. Chairman: Then, if there are other comments to be made, they can be made in the first vote.

Mr. Mackenzie: Don't be provocative in your comments, Mr. Minister.

Hon. Mr. Elgie: Above all, don't be provocative: isn't that the name of the game? You were telling me that I was getting provocative. Goodness gracious, we mustn't do that, above all.

Mr. Van Horne then went on to give another example of what he considered a lack of planning and the staff's letting me down. That was the issue of Bill 188, An Act to Provide for the Rights of Handicapped Persons, which was introduced last year and then withdrawn. He suggested that a year has gone by and nothing has happened.

That bill was introduced in good faith because it was felt it was an issue on which there was general agreement. If you are suggesting to me that most issues in the proposed revision of the Human Rights Code will be similarly blessed with general agreement, I look forward to a pleasant passage of the bill without too much argument.

On the other hand, it was pointed out I think to all of us that, rightly or wrongly, the handicapped group did not want to be singled out and identified in this way as a special group, again because that has been part of their problem, as they perceive it. That is, they are not part of the regular mainstream of society. I accepted that and we did not pursue the bill.

We then went into what I thought was a fairly lengthy period of consultation. You say you hear in some circles there is a consensus and in other circles there is no consensus. There are some areas where I do not think one can ever achieve perfect consensus, but one can try to grab the essence of the problem and try to come out with a good balance which one thinks meets society's needs at this time. That is what we are trying to do.

To say it has now been a year; heavens, the handicapped group that met with us in December said, "We do not care if it is five years or 10 years, so long as we are part of the regular

human rights code." I have acceded to that request and they will be included in the human rights code. I think your criticism in that regard, therefore, is not borne out by the facts, neither by the previous utterances of, for example, the coalition which indicated it was so important to them that they be part of a general human rights code that they were prepared to wait.

We have had that period of consultation. We have reviewed a number of other matters and, as I indicated in my opening remarks, an act to revise the human rights code will be introduced in the Legislature within the next 10 days.

Bill 89: "Turbulence and controversy." You are not quarrelling with the principle of the bill but you feel we squelched debate on the matter. I cannot understand that. I think everyone who wanted to speak had an opportunity to speak on it; indeed, there was such agreement on it it passed the very next day, as I recall, or was it the same day?

Mr. Armstrong: The same day.

Hon. Mr. Elgie: The same day. In spite of the fact that you feel debate on it was limited, there seemed to be such agreement about the fundamental issues of the bill that it received third reading with all-party consent that same day.

Mr. Van Horne: Keep a straight face on that one.

Hon. Mr. Elgie: I cannot accept your view there was not a free and open discussion. It was so open and so free we unanimously agreed to vote third reading the same day.

You wonder about how much future planning goes on in the ministry with regard to plant closures. I have elaborated on that in great detail and I presented some material to the select committee on plant shutdowns which indicates we have been collecting data on plant closures.

We have been reviewing a variety of policies and we have introduced what I think to be a very reasonable and acceptable package to try to alleviate some of the individual hardship and community hardship that results from plant closures. That is not to say the select committee will not come up with other recommendations. As I said in my statement, I look forward to receiving those recommendations and, I hope, responding to them.

4:10 p.m.

This is another of your examples of poor planning; you asked why we had not appointed Mr. Pollock much sooner. You know why that was so. You know that society in general for many years has accepted the fact that skilled tradesmen were tradesmen who, by and large,

were an immigrant population. They have been of great value to this community and to this province and they have provided the necessary skills for our construction labour force.

At the same time, there is a societal feeling about education that has apparently discouraged parents from having their children go into skilled trade training areas. All of that has to change. All of that is changing, with the reduction of immigration, with the fact that workers from other countries are finding it less and less attractive to come to this country. The issue is being addressed.

As I said, we started to address it three or four years ago with the conferences that were held and the public expression of opinion about the skill training issue. That culminated, I think, quite naturally in the appointment of a commissioner and a broad-based commission to review the issue of skill training and we are now awaiting recommendations from them. I expect to be introducing some initiatives in the very near future.

You ask, why so late with Weiler? I do not think that is really valid either, because the Wyatt report came in 1977 and it was reviewed. I, and I believe many others, do not think it addressed some of the philosophical matters that need to be addressed in the Workmen's Compensation Board—its functioning, structure and administration. Out of that and out of my own belief that some changes are necessary, I consulted and retained Professor Weiler, who, frankly, I consider to be incomparable in that area. It requires a unique capability to judge administrative programs and make recommendations. I hope that when his report is tabled in the very near future you will agree with me we have done the right thing and selected the right person to do it.

I am pleased to hear that you and some of your colleagues had a pleasant trip around the province. I think it is important to see all areas of the province and visit Thunder Bay and the variety of places you visited, and to get some feelings and some views about the problems out there.

You raised some topics you indicated were presented to you during the course of those hearings. I read some of the press releases that came out during the course of the hearings. I was interested in some of them; some of them I thought were not so interesting.

Mr. Kerrio: You don't go over big with us either.

Hon. Mr. Elgie: However, I have to admit that, in one way or another, you certainly gained some attention wherever you were. Some of it you

wanted; some of it you did not want. However, you got some attention throughout the province and, I think, probably gained a great deal of insight into some of the problems that exist.

The first topic you raised out of that had to do with government employees being involved in political activities. I think you know how this government feels about that. It feels that it is a very awkward situation for employees who are involved in government and dealing with government matters—for instance, the staff sitting here with me now—to suddenly go out on the street, whatever their political views may be, and start campaigning in a political arena when they are part of the internal process of making recommendations to and carrying out the deliberations of the government.

This government just feels that is a conflict—it is a very difficult one—and for that reason government employees at this time are not allowed to take part in political activities of the kind of which we have spoken. I do not think that view is a surprise, and I suggest that on consideration you might not feel differently about it yourself.

We also heard some comments that the Labour Relations Act is inadequate and you particularly mentioned the issue of petitions—employee petitions, sometimes claiming to be employer-sponsored—and that this is one example of an area of the Labour Relations Act that needs to be corrected.

You know and I know that there are a lot of views out there in society about the certification process. On the one hand, you have one segment of society very vocal in its view that the whole process is wrong and that there should be a vote in every case. I do not happen to support that view because I do not think it necessarily leads to the best representative view of the wish of the workers.

On the other hand, you have others who say you should do away with all petitions and all involvement with anybody except those who are involved in making the application for certification. On that side, I think the certification procedure we now have works very effectively. That is confirmed by the fact that very few of the petitions lead to a rejection of the certification. But it is important to have that avenue where employees who object to what is happening are able to put their views before the Ontario Labour Relations Board by way of petition so the board can consider the legitimacy of those points of view.

Taking the whole situation in balance, and that's what I try to do, we have a certification process in the province that may not be perfect

but it is a good balance between the options that are available to us. At the present time, at least, I don't see any valid reason to tamper with it.

That is not to say things won't become apparent over the next period of time that indicate review of it, but at this time I have to say I think we have a very good certification process which is working satisfactorily, although not to the satisfaction of all people. However, I don't think we can satisfy all people and I think we have a good balance.

The other matter you raised had to do with union trusteeship allowing a local union to retain funds collected, rather than going back to the international union. I gather that is the situation you wrote to me about some time ago, where the chemical workers broke with their international.

I think my response to you at that time was that they had a contractual relationship with the international. Their constitution was clear and had been accepted by them. I think they are required by law to abide by that constitution. If they didn't like it, they shouldn't have signed it. I don't see how government can interfere with that process. I trust—although I know you did have many people speak to you about it—that on thoughtful, personal reflection you would agree with that point of view.

You then raised a question of plant closures and asked about the status of a union in a reorganized plant and raised the issue of Prestolite. I can't recall exactly what happened when Prestolite was reorganized into Sarnia Motors. Was the same union representing the employees in that new—

Mr. Pathe: Is that the one that went to Woodstock?

Hon. Mr. Elgie: No, that was Prestolite in Sarnia. It was failing and it was taken over by the employees and changed to Sarnia Motors and, just in the past month or two, has declared bankruptcy.

I can't recall whether or not the same trade union carried on to represent the particular employees but I will be glad to find that out for you, if you think it is of relevance. Certainly I would have thought that successor rights applied, but maybe I could ask my deputy or Mr. Pathe to comment on that.

Mr. Armstrong: I am not sure what the question was about Prestolite.

Mr. Van Horne: The minister pretty well rephrased it. I simply wanted to know if in the reorganizing the people—I gather there were about a hundred of them who went back on the job—were organized under the same union, or

was there any obligation to do so, or was there any desire to do so. Just generally, I wanted to know what their status was that second time around.

Hon. Mr. Elgie: I don't happen to know whether they were organized the second time around. Would the successor rights law apply there?

Mr. Pathe: I would think section 55 of the Labour Relations Act would apply, the successor rights section. It certainly would cover it. It talks about the definition of a sale including leases, transfers or any other manner of disposition. Sold and sale have corresponding meanings, so it would be a pretty good argument that the bargaining agent would continue in those circumstances. It would be up to the Ontario Labour Relations Board to decide if there was a dispute about it.

Mr. Van Horne: I am not aware of a dispute. Maybe Mr. Mackenzie—

Hon. Mr. Elgie: No, I don't. Do you happen to know, Mr. Mackenzie?

Mr. Mackenzie: Officially I don't know but the union was involved in the wage cuts and everything else they took, so I suspect it was the United Automobile Workers.

Hon. Mr. Elgie: You asked also if there were any other examples of similar situations. There are two that come to mind immediately; one is Pioneer Saws Limited in Peterborough, which continued to be organized by the same union—the United Steelworkers of America—and the other was Anaconda Brass, which became Arrowhead, which continued to be organized and certified by the same union, the United Automobile Workers.

So I am not aware of any particular problem in the successor rights area, but if you have any examples of situations you don't think were in conformity with the law, I would like to know about them.

4:20 p.m.

Your next remark had to do with the conciliation portion of the mediation process. As you know, in the past, the conciliation portion of it has led to so-called boards of conciliation. The automatic practice of appointing boards of conciliation has not been used in the past two or three years because, frankly, there were complaints it was delaying the process.

On the other hand, others felt it was an important tool to have should the situation arise that this kind of a forum was necessary. Indeed, it is the presence of that which may bring the

parties together to reach a lot of settlements that don't go on to the mediation stage and that don't result in strikes and lockouts.

It has been our view, supported by the director of the mediation and conciliation branch and by the assistant deputy minister, that it did serve a purpose and that it should be retained because of the occasional situation where it might be valuable. I don't know if Mr. Pathe has any other comments he would like to make on that.

Mr. Pathe: I took it also there was criticism, not of the conciliation board process alone but of the conciliation process generally. I can understand that. Some unions use the mandatory conciliation service extensively and, in my view, quite productively, and some unions don't. But if they choose not to use it, if they choose to show up before the meeting with the officer and say: "Thank you very much. We don't need assistance. Write the report," the officer complies if there is agreement. Even if one side is of that view, it is unlikely the conciliation proceeding is going to be very useful.

On the other hand, there are a fair number of unions—in fact, the majority—that use the compulsory conciliation extensively. There are a number of ways to judge its effectiveness. One is to say, "What is the percentage of cases that settle at that stage?" If you look at that, it varies anywhere from 30 to 40 per cent, depending on the climate and the time of the industry, et cetera.

Another way to measure it, and the one I think is useful, is to look at how many issues are in dispute when they go into conciliation and how many are in dispute when it moves on to what we call the no-board stage. In many cases, it is not unusual to find that while the dispute hasn't been settled, the number of issues have been reduced from, say, 25 or 30 to seven, eight, nine or 10.

In other words, the dispute is down to the main issues. The parties leave that meeting having a much better grasp of where the difficulties lie to get a settlement. When they go back, either into direct talks after that or into mediation, they are prepared for it because the items have been narrowed.

I believe, and I think most trade union bargainers and a lot of employer bargainers as well would say, that the process is useful from that point of view, in addition to the 30-odd per cent that settle.

The point is the settlement made at that stage is well ahead of the confrontation stage. The countdown hasn't begun. In many cases a strike vote hasn't been taken, so I think it is useful. But

different unions and different representatives have different views.

Hon. Mr. Elgie: Your next remarks related to the apprenticeship program, any plans to revitalize it and any discussions going on with the federal government.

As you know, the Apprenticeship and Tradesmen's Qualification Act comes under the Ministry of Colleges and Universities. My role, as Minister of Labour, is to report on behalf of the manpower commission, to make policy recommendations to government. So if you are asking, am I planning recommendations to improve our skills training program, yes, I am. The nature of those initiatives, I hope, will be made known in the next few weeks.

I can't say whether or not there are any particular discussions going on with the federal government. Certainly the Ontario Manpower Commission meets regularly with representatives of Canada Employment and Immigration. It would be surprising to me if they weren't aware of what is going on, both at the policy end and at the actual implementation ends of it, because I know, as a matter of fact, that both ministries are meeting frequently with the federal government representatives.

I am not sure whether the Minister of Colleges and Universities (Miss Stephenson) has any specific discussions going on with the federal government about mobility of apprentices throughout the country. I think that is a very valid point you raised, though, and it is one of the mobility issues in general to which the Premier has been referring. But whether or not there are specific discussions going on about mobility, that is a worker carrying forward the credits that have been gathered, I can't tell you.

But it is a very valid point. If you don't have an opportunity to ask the Minister of Colleges and Universities, I certainly will.

The next issue raised had to do with subcontracting clauses. The last time you asked me this there was a case before the board which I had felt would address itself directly to this issue, but the board found another avenue to deal with the problem before it and did not address itself specifically to the issue of subcontracting clauses. I know you are particularly referring to the subcontracting clause as it relates to the Christian Labour Association of Canada. You know and I know, and they know, it is not a very easy problem to solve.

I don't want to go into the background and history of it, but I am sure you know the Christian Labour Association is organized as an industrial union. It now is functioning in this country in the context of trade unions organized

along a craft basis. For example, in a Christian Labour Association bargaining unit you would have a variety of trades represented, but all represented in the one industrial trade union. You might have carpenters, plumbers, plasterers and bricklayers all in one.

Although they don't agree that their contracts have subcontracting clauses in them, in fact they do have a variety of subcontracting clauses. But it says that if any other trade is hired, then the trade within the Christian Labour Association will continue to be paid at the same rate. There is a double payment requirement in their particular type of subcontracting clause. In effect, if not in name, they do have a subcontracting type of clause within their own union.

Their problem, of course, as you know, is that they don't encompass all trades. If they are lacking some trades, then they bump into the international organizations that are organized on the basis of crafts.

It is a difficult problem. All I can say is we are reviewing it. We are sensitive to the problem. We have even asked for an outside legal opinion, but it is not an issue that doesn't have two sides to the story.

The labour relations board has said there is nothing illegal about having subcontracting clauses in an agreement. We are not satisfied, quite frankly, that the issue has been settled before the highest court; neither, indeed, are we satisfied the avenue of the federal combines investigation route has been explored.

So there are still some avenues open to those who feel subcontracting clauses are not fair. In the meantime we are continuing to look at it and we are getting an outside opinion. I can't really go any further than that at this time, but if you wish to discuss it later during that portion of the estimates, I would be pleased to get involved in greater detail.

Getting back again to the issue of province-wide bargaining, you have asked, presumably as a result of meeting with trade unions, particularly in Thunder Bay, whether or not there is any plan to exclude the north. I think I covered that in my opening remarks to you, with regard to the revisions to the Labour Relations Act—namely Bill 204 and Bill 77—that I think the system is working well.

There are pockets of problems. I think they are primarily internal problems and I hope they can be ironed out. But looking at the whole province, I think it is working very satisfactorily and I think any objective evaluation would support that.

You indicated that comments with regard to the women's bureau would be more extensively

dealt with when we got to that portion of the estimates, but you did ask about the industrial child care paper on a voluntary basis. The women's bureau has been working for some time on the issue of industrial child care on a voluntary basis and hopes to have a document ready in the very near future to distribute to industry for their use. We also will be sending a copy of it to the Minister of Community and Social Services (Mr. Norton) who, as you know, has primary responsibility for day care in the province, so he can take it into account when he is reaching conclusions about day care in the province.

I do not know about the article from London to which you made reference with regard to Bill 70. Perhaps my staff does. If you would be kind enough to give me a copy of that article, perhaps I could respond to you here or by correspondence and compare and contrast that point of view with the point of view in the *Globe and Mail* about two weeks ago.

4:30 p.m.

Also under Bill 70, you and Bob Mackenzie have asked about the problems we have had dealing with regulations. It goes back again to the fact the first items that were gazetted in the summer of 1978 were gazetted under the Industrial Safety Act, and the legal opinion given to us was that that gazetting did not meet the requirements of the new Occupational Health and Safety Act; therefore, we proceeded to gazette them again.

If I might, I will ask my deputy to comment on the problems we have had in pursuing the issue of regulations. I am quite sensitive to the fact—believe it or not, Robert—it has not gone along as quickly as I had hoped or you had hoped. You have to believe me that there is no subterfuge or anything funny going on in this process. We are just trying to do it properly and in compliance with the legislation and with the process we have outlined.

Having said that, I have to say I am concerned, as is the staff, that it has not gone as quickly as we had hoped it would.

Mr. Armstrong, would you comment on the problems that have arisen?

Mr. Armstrong: Yes. Perhaps I can go back, Mr. Minister, to the situation under the Industrial Safety Act and the legislative process at the time Bill 70 was first going through the House, before, I think, you became minister.

In 1978, as I recall, the government and the opposition reached what I think can be accurately characterized as an impasse in the House over certain features of the bill presented by Dr.

Stephenson. One of the disagreements had to do with the scope of coverage. Another important disagreement had to do with the mandatory committees. There was a long pause in the legislative process and I can tell you at that point we in the ministry became concerned that that pause would become an even longer one.

I sought from our ministry solicitor an opinion as to what we might do in the meantime, under existing legislation, to bring about standards that imposed maximum exposure limits for toxic substances. In the past we had guidelines but no enforceable standards. I was concerned that if this pause in the process should become protracted and prolonged, we in this province would still be without toxic substance guidelines.

As a result, we got an opinion from Mr. Hess that, while the regulation-making powers under the Industrial Safety Act might permit us to pass such regulations, no such power existed under the then part IX of the Mining Act or, indeed, under the Construction Safety Act. None the less, we thought it advisable to go ahead under the Industrial Safety Act and it was at that time, in July 1978, those regulations were published.

The publication of the regulations brought a vast number of submissions as to the adequacy of the regulations. In the meantime, in the late fall of that year the Bill 70 proceedings were revived and new provisions came in. The new provisions in that act beyond doubt permitted the ministry to promulgate regulations in all three sectors.

So two things happened: Bill 70 was revived; and, secondly, we were aware, as a result of the representations we received on the initial publication, that there were, very frankly, some flaws in the pattern of those regulations.

The fundamental flaw—and I share this with the committee—was that under those regulations, in my view and in the view of the legal advisers, it was possible for an employer to avoid or evade the effect of the regulation by arguing certain things about the impossibility of meeting the standards established under the regulations, and use protective equipment rather than meet the maximum standards.

As a result of the submissions received from various sources and as a result of a further analysis on our part, the regulations were recast in a very fundamental way. I believe the recast regulations removed the fundamental flaw to which I referred. But that took some time; it took some analysis of the regulations that had been prepared. I guess it was in July of this year that we gazetted them under section 22(a) of the regulations.

Again, we were told by our legal advisers that, first of all, we had to publish a notification of the fact the proposed regulations would be published. Those proposed regulations were published in the Ontario Gazette in detail in August. Again there have been a very great number of submissions made on both sides as to the ambit and scope and the general design of the regulations.

Dr. Robinson, when we get to that vote and item, will no doubt be dealing with those matters, but they are now under active review. As the minister's opening statement indicated, starting on page 61, we are obliged to follow a certain sequence of events which we have agreed with the Advisory Council on Occupational Health and Occupational Safety should be followed.

There is no doubt about it, the statement makes the point that this is one of the most difficult, complex and, frankly, frustrating areas we are into. We are proceeding with as much haste as possible, but in my experience in the public service, I cannot think of an area which has given rise to more contention, more problems of a detailed and complex scientific and administrative nature, than this particular problem.

As to the substances beyond asbestos, lead, mercury, noise, isocyanates, silica and vinyl chloride, Dr. Robinson will have something to say about the priority list beyond them. Such a list does exist. It will be dealt with, but with the wisdom acquired from experience over the last two years it would take a person much more confident than myself in predicting time limits to say precisely when the next substances on the list will be brought to fruition. But, as I said, Dr. Robinson will have something to say about our targets in that respect.

It is a matter of regret on our part they have not proceeded faster than they have, but we have done everything in our power, and will continue to do so, to move those ahead.

Mr. Mackenzie: Mr. Chairman, I know you do not want questions as we go along, but one thing has to be raised at this point. One of the things I was told when we raised the issue of the second gazetting and the delays was that at least we had added one area to the list, and that was coke oven emissions. I do not see that on your list. Has it now been dropped?

Mr. Armstrong: No. Coke oven emissions were among the ones of which notification was given in July of this year. The proposed regulation on coke oven emissions was not published in August.

We have met with the three steel companies and with the steel workers. Dr. Robinson and

her colleagues have been working hard on this and have recently been to Washington to talk to the Occupational Safety and Health Administration about some of the problems that have emerged in the responses to the notice of publication.

We have every intention of publishing the proposed regulation just as soon as we can. It was one of the more difficult ones and I do not believe there was a coke oven regulation published in July 1978.

Hon. Mr. Elgie: Notice of intent was published, but the regulation itself was not.

4:40 p.m.

Mr. Mackenzie: In effect, it may not be out at the same time as these others.

Mr. Armstrong: No. That one will take longer than the others.

Hon. Mr. Elgie: The next matter Mr. Van Horne raised had to do with the summary of the total work force and the budget allocation related to that increase in the work force so he could compare this year with last year. I do not know if our staff can do that for us right now.

Mr. Armstrong: I can do that.

Hon. Mr. Elgie: Can you do that? The deputy says he can give you that information.

Mr. Armstrong: Mr. Van Horne, I have about 11 pages on that and—whatever you like—I can read them to you or I can provide them to you.

Mr. Van Horne: Just provide them to me, would you please?

Mr. Armstrong: It is a breakdown of the position increases and the amounts by vote and item.

Mr. Van Horne: That would be very helpful. Thank you.

Hon. Mr. Elgie: You made reference to comments on program analysis in the research branch statement on page 33. I do not have that before me.

Do you have it here, Mr. Ignatieff? Do you want to comment on that question?

Mr. Ignatieff: Mr. Minister, I am afraid I was out of the room when Mr. Van Horne posed it.

Mr. Armstrong: Why don't we move on and let him reply later?

Hon. Mr. Elgie: I can come back to that at the end if Mr. Ignatieff gets a chance to review it.

Mr. Mackenzie, you think I am getting more combative, but I have tell you I think you are less combative this year than you were last year. I hope the mantle of combativeness is not shifting from you to me, because that is certainly not the way I think things get accom-

plished. I think deep down you and I both know that, although we may have different philosophies about certain things, we have similar goals in the areas we are discussing. You may not always be happy with the rate of progress, but I hope you agree that the direction is the appropriate one.

You say you dislike the emphasis on economic constraint which the government seems to talk about in all areas. I just have to say I think that is facing the realities of life. We are a country and a province that face some economic problems and, unfortunately, at this stage of our development a period of constraint is necessary if we are to survive and survive effectively. None of us may like that but we have to do it, unfortunately. That seems to be a reality most people who are knowledgeable in the area of economics accept.

I can only say in our ministry, in areas recognized and delineated as areas of special concern that require extra emphasis, we have been able, even in a period of constraint, to add staff and to add budget and, I hope, to respond appropriately.

You were critical of a comment in my statement regarding the issues of dues and bargaining. I hope that does not mean you think that is the only thing I have ever said about the trade union movement, because I have been quite explicit in remarks I have made in saying many of the social advances achieved in this country and in other countries have been due to the trade union movement's effort.

If you saw that remark in my statement as being limiting and suggesting that was the only function of a trade union, then I have to beg off. I have been quite vocal in my praise for the efforts put forward and for the achievements made over the years. That does not mean I always agree with all the directions they take, but I do pay great tribute to many of the social advances achieved through the efforts of the trade union movement.

I will not comment on the squabble you and Ron Van Horne seem to be having about the usefulness of Labour estimates. I think they are always interesting and I like to think I always learn a bit from them.

Mr. Mackenzie: It is not a squabble, Mr. Minister. It is not worth squabbling over with him.

Hon. Mr. Elgie: It depends how you define "squabble," and I do not want to define it in the absence of the member.

Your next area of concern was the area of organization. Your view is there still really is great warfare going on out there and you do not

see any real improvement in the relationship between management and labour.

I don't know; maybe I am not very cynical about life. In many of the projects we have going—preventive mediation, our quality of working life program—and in the views many of us espouse and, believe it or not, that many in society, be they from management or unions or the public, espouse, I see an improvement taking place in the relationship. Again, it may not be as fast as you want or as fast as I want, but I think improvements are taking place.

In the Ontario Labour Relations Board we have seen a board that does adjudicate on issues of unfair labour practices. I think in the last two years it has given us, as before then, a great deal of leadership in defining just what is fair and what is unfair in the area of labour relations, and certification in particular.

I think you will agree the Radio Shack decision and, more recently, the Fotomat decision support the contention that the labour relations board does deal with these cases appropriately and adequately—not always to your agreement and sometimes not to mine. But that is not my function; it is their function to adjudicate on the facts before them. I do not want that to change. That kind of impartial review of the process in which we are all involved is important and I think it is working.

Again, that does not mean the world is perfect, but I think it does say things are improving and the labour relations board is adjudicating in a very fair and equitable manner. I think the evidence is there to support that.

Mr. Mackenzie: I believe I made the comment that I agree with that. Those were some improvements. I also made the comment that the cases were so obvious to do otherwise would have been ridiculous.

Hon. Mr. Elgie: It would be difficult to point to cases where even you could say the facts were there and the board did not support the facts as presented. It is difficult to find a case put before the board that it has not adjudicated very equitably and fairly.

To say that Radio Shack and Fotomat and Westinghouse are just sporadic little incidents in a sea of turbulence is not fair. We are seeing a broad band of equitable judgement come out of the labour relations board. That is something I support fully and I think you do too.

Naturally I was pleased you supported the introduction of Bill 89, An Act to amend the Labour Relations Act. I know you did not agree with all of the components of Bill 89, but I have to tell you there are others in society who did

not agree with all the components of Bill 89 either.

The amendments were complementary and balancing and fair. They introduced an element of accountability and representation which is healthy. None of the amendments you referred to—other than the checkoffs, which you object to—are amendments that thoughtful people should take exception to. They simply enforce the idea of democratic representation and responsibility with regard to the communication of offers and—

Mr. Mackenzie: Mr. Minister, they were tradeoffs, and you know it. Let's be fair.

Hon. Mr. Elgie: I am talking about a balance that was achieved. You and I both know there were a variety of things being recommended in society with regard to checkoffs. The balance we were able to achieve was a fair and an equitable one.

I agree with you that Bill 25 is a move in the right direction. I think it is more than that. It has proved to be invaluable. It would come as no surprise that in a couple of situations it has brought to light poor labour-management relationships which have since undergone great improvement.

If you were to look, for example, at the number of grievances filed at Ford since the introduction of Bill 25, you would find a drastic reduction in their number. If you looked at Budd Automotive, for instance, you would find about an 80 per cent reduction in the number of grievances.

4:50 p.m.

I think it did have a lot of effects that go beyond simply dealing with the grievance and get to the very heart of labour-management relations. For that reason, if for no other, it has been very valuable. The fact that we have been able to achieve settlements in 60 per cent of the cases before us I think speaks to the need for that interventionist role as well.

You went on to comment about some minor indications of prosecutions regarding mining deaths. I do not know what you mean by "minor indications of prosecutions." I like to think that wherever there have been appropriate indications to lay charges, either before or after an inquest—and you recall that very recently charges were laid before an inquest—the ministry inspectors and the legal department have had no hesitation in laying charges where the facts presented to them justify it. I am not quite sure what you mean by "minor indications."

I know that the Algoma death troubled all of us. I do not claim to be any expert on the

locking-out procedure, but I understand that following that tragic death Algoma and its workers, with the assistance of our staff, have been involved in a very aggressive campaign to improve their working relationship, and I hear it is taking effect. I think we are going to see coming out of that a new relationship, not only with regard to labour-management but with regard to occupational health and safety.

That is the kind of approach I see occurring. It is not a cynical one, but sees that people are people and if you put them together and get the right feelings working, good things can be worked out and problems can be resolved. That is not to say there has to be a death before that happens; certainly that is not the approach we are taking.

I hope out of the work going on up there we will see the embryo of a philosophy that can spread. I am very pleased with what is happening in Algoma, although I cannot but express the same sorrow you do about the death of the man involved.

I have already commented on the labour relations board and your comment as to whether it is a temporary or a real conversion. I think it has always endeavoured to be a fair, impartial and equitable board. The nature of the cases the board has heard over the past two years has been such that their judgements have confirmed that.

You then dealt with a list of injustices in the work place and in society. Perhaps I can just run over some of them.

You indicated you think there is an injustice in the delay in responding adequately to the problems of the handicapped. I do not accept that we are being tardy in dealing with the problems of the handicapped. As they said to me, they want the human rights code amended but they want to be within the code. They did not have any particular desire to see it rushed through but rather that it be something appropriate. I think it is appropriate and I hope to get your support when it is introduced.

In other areas, Barbara Earle and Mr. Ignatieff are here to talk about the handicapped employment program. I think it is exciting stuff. You have to go to some of those meetings.

It is important not to always see just one side of the problem. To go to that meeting, as I did, and to hear corporations in Hamilton express willingness and, indeed, as I think Barbara will tell you, eagerness to be part of that project is uplifting. I think it bodes well for the future.

I agree it is a future which has to have a changed recognition of the rights of the handicapped in society, but I think that groundwork

is being laid and those changes are occurring. They will not occur overnight, but they are occurring.

Again, I do not agree with you that this government is not concerned about "the lack of equality for women in the work place." That has clearly been one of my major areas of concern. I have demonstrated it by increasing the capabilities of the equal pay program of the employment standards branch and, as I have indicated to you, I will be presenting some matters to my cabinet colleagues for further consideration to improve the equal pay legislation in the areas I have mentioned to you.

The government certainly cannot be criticized for its own house because it now has a government policy with regard to affirmative action and the inclusion of women in all areas of government. That sets an example the private sector has to look at and understand it has to follow—and I have said so publicly to business corporations and to others. I do not think that is being reticent or unwilling to do something about the inequities facing women in society.

We have already dealt with the next item, the issue of toxic substances, and I am sure you will want to review it further when we get to the portion of the estimates dealing with occupational health and safety.

You felt our response to the Fuji restaurant situation was inadequate. I think if you talked to Vic Pathe you would see that his mediation branch put in very diligent efforts to resolve that dispute. The only outstanding matter I can recall had to do with union security.

Mr. Pathe: Tip sharing.

Hon. Mr. Elgie: Tip sharing was the only outstanding issue. After Bill 89, the union security matter was settled.

Mr. Pathe: It was before Bill 89.

Hon. Mr. Elgie: Did they finally get an agreement?

Mr. Pathe: No, they did not, as I understand. Would you like me to comment?

Hon. Mr. Elgie: Yes, would you comment on that?

Mr. Pathe: I had some personal involvement in the Fuji thing. There were a number of issues, but the really difficult issue, which made it difficult to get to the remaining issues, was the tip-sharing one.

While tip sharing is not a common practice in the industry generally, apparently it is a common practice in that type of restaurant, and we had an employer who was not in a position or not prepared to change his position on the tip-sharing issue.

John Dempster and I met separately with the owner of the restaurant and with his lawyer. We met on two occasions with the union bargaining committee and endeavoured to persuade it to find an accommodation on the tip-sharing thing, because we thought if that could have been done there could have been an agreement.

The other problem was there was no real pressure on the employer because there was not a strike. There was a lot of other types of activity to bring pressure, but there was not a strike.

Mr. Mackenzie: There was not the strength for a strike, as you are aware. This was one of the cases where they needed some help.

Hon. Mr. Elgie: There was some movement on the tip-sharing recommendation.

Mr. Pathe: There was a willingness to modify the practice.

Mr. Mackenzie: This just underlines the general problem with tips, and whether or not the minister is going to deal with them.

Hon. Mr. Elgie: It is not an easy problem. You know that as well as I do.

Participation House in Hamilton and the problems relating to it: I am not familiar with that particular case. I am not sure how you see the Ministry of Labour getting involved in that dispute, other than trying to mediate between the parties.

If you are saying the Ministry of Community and Social Services should simply say, "Go ahead and settle for whatever you want and we will put up the money," I do not think you would really consider that an appropriate way for a government to handle your money. As a taxpayer, I think you would expect the parties to deal with the issues before them and reach a conclusion and then have the government decide about the funding for it.

Mr. Mackenzie: As a taxpayer, I do not see the kind of wages they are paying as being a proper approach either.

Hon. Mr. Elgie: You know, wages in society are determined by a variety of factors: market factors, individual bargaining power, group bargaining power. To say the Ministry of Labour should jump in there is really to take us beyond the role I see us having; that is—not in all cases, but in bargaining situations like this—to try to see that the bargaining is done appropriately and effectively and that the parties understand the issues and are trying to facilitate a resolution of them.

The food service workers at the Ministry of Transportation and Communications in Downsview: Again, I am not really familiar with that

particular case, but I will certainly have staff bring the matters you raised to my attention for review to see if there is any role we have to play.

I think the right of the private sector—indeed, of government—to contract out these jobs is pretty well accepted. If you are saying there is something wrong with the process, I would like to hear you say you do not agree with it, because contracting out is a pretty well accepted method of dealing with certain areas in the community and in government. But I will review the case and see if we have any other role to play.

5 p.m.

I am not sure of the present status of the Westroc dispute in Mississauga. You were involved in that recently, Vic.

Mr. Pathe: That is a particularly difficult one. As I understand it, not at the last mediation meeting but at the one before that the company raised new issues to do with contracting out and complement of staff provisions in the collective agreement. The union took the position there could be no negotiations while the company insisted on those changes and the talks broke down.

The mediator reconvened them just a week or 10 days ago and again no settlement was reached, but the union undertook to go back and consult the membership, and to contact the mediator if it would be useful to get back into talks. The mediator is still waiting to hear from them. I do not think that meeting with the membership has taken place yet.

Hon. Mr. Elgie: The Alltrans dispute, I am not sure I know that. Is it Texport transport services?

Mr. Mackenzie: I sent you a sheet across the floor of the House the other day, Mr. Minister.

Hon. Mr. Elgie: Is it Texport transport services?

Mr. Mackenzie: Yes.

Hon. Mr. Elgie: I am advised by Mr. Pathe that this is a matter before the Canada Labour Relations Board. Unless I am mistaken, it is a federal matter. Is that correct?

Mr. Pathe: We are advised that it is a federal jurisdiction.

Hon. Mr. Elgie: The Teamsters have filed a complaint with the Canada Labour Relations Board under section 184 of the Canada Labour Code. I really feel unable to comment on the matters that are at present before the Canadian board.

Mr. Mackenzie: There is a parallel between it and the other haulage examples I gave you, Mr. Minister.

Hon. Mr. Elgie: Is that the three companies in Hamilton?

Mr. Mackenzie: That is right. I do not know how they can go into receivership and be back in the same operation three weeks later. Only the workers are out their wages.

Hon. Mr. Elgie: I would have to look into the facts of that. As you know, the receiver can continue to operate the business; I cannot imagine any other way that the business could be continuing to operate.

With regard to the bankruptcy laws, I said in the Legislature—this is very easily verified—I have written to this present federal government and the previous government indicating that I thought workers should be secured creditors as opposed to preferred creditors, which they are now. I am not sure that that is happening, but I continue to transmit my views to the federal government, who are very supportive of the position you take.

The United Food and Commercial Workers issue at Maple Lodge Farms particularly referred to police activities with regard to the negotiations. As you know, settlement was reached through the facilities of the ministry and Vic Pathe. The rest of your remarks really related to police activities at the picket lines. The Solicitor General (Mr. McMurtry), as you know, is responsible for the police. He had the matter reviewed and reported to the House.

I do not know what other role this ministry can play. We certainly play an advisory role with the Solicitor General's office in terms of educational programs for police so there is a better understanding of the nature of the strike and the role they are to play. We are actively involved in that process, but I really do not feel that I should be commenting on police activities on picket lines.

You have asked if there are any examples of neutral police activity, about any situations where the police are perceived as neutral. I will turn that around and tell you the only ones we hear about are situations where you feel they are not neutral. I think you would have trouble coming up with more than four or five situations a year where you had perceived police activities to be unfair.

Mr. Mackenzie: I do not think that is the case, Mr. Minister. I have been on a lot of picket lines where there has been police involvement. I have yet to find a case where they are considered neutral by the strikers involved.

Hon. Mr. Elgie: I know that on the Blue Cross picket line the police received no criticism from either the public or from the trade union.

Indeed a member of the public spoke to me and said that the police were very respectful of the picketers' rights. That never hit the headlines.

I have talked to the father of a young police officer in Hamilton who reports that police force is very sensitive to picketing problems.

Mr. Mackenzie: That is one of the few better ones.

Hon. Mr. Elgie: You do not hear about where police involvement has worked well on the picket line because it does not hit the headlines. I think that applies in the majority of cases. So often we hear only about the bad situations when the good situations far outnumber them.

I think what you have to start to do is to look on the good side of life occasionally, because there is a good side, believe it or not.

Mr. Mackenzie: You might increase your efforts with the Attorney General in cases like the Peel regional police, which were supposed to be one of the finest examples, but who didn't know what the hell a picket line was all about.

Hon. Mr. Elgie: The other matter raised was the Wellington Mushroom Farm. I said we were reviewing it. It is not an easy problem; the nature of farming changes from year to year. Ten years ago mushrooms were grown outside; now they are grown inside. You introduced a private member's bill because you wanted to preserve the farmer who farms. I read your bill. You know of some of the matters that concern the government about farming because they concern you too.

Mr. Mackenzie: There is no comparison between a mushroom farm and a farmer who farms, Mr. Minister. You know that as well as I do.

Hon. Mr. Elgie: But your bill would have included more than just the individual farmer. It would have included the corporate farmer as well.

Mr. Mackenzie: Yes, I agree.

Hon. Mr. Elgie: So you respected the labour legislation as it exists with regard to farming in a great variety of areas. I told you in the House and I have no hesitation saying it again, we are looking at areas of farming that are changing to see whether or not changes are justified in the legislation.

I am very glad that you have offered to let me take over an NDP bill with regard to strikebreaking legislation. It's always a delight to—

Mr. Mackenzie: We have half a dozen of them. We would be happy to give you credit.

Hon. Mr. Elgie: What I want to know is when you are going to take over one of my bills and

say it is worthy of NDP presentation. Wouldn't it be the epitome of delight and praise if you were to introduce legislation on my behalf and say, "Great stuff, the minister gave me the idea"?"

British Columbia has legislation outlawing professional strikebreaking. I have reviewed my views on strikebreaking legislation, and I have no information that there are any professional strikebreakers in this province.

Mr. Mackenzie: We have had at least two cases of what we would interpret as professional strikebreakers.

Hon. Mr. Elgie: Vic, is there anything in recent times to indicate there are people who are hired as professionals to break strikes?

Mr. Pathe: There was a lot of news about it during the newspaper strike in the 1960s. I do not know if there have been any glaring examples since then. There were travelling newspaper strikebreakers. They travelled all over North America, according to the reports.

Mr. Mackenzie: We have had them in a number of industrial plants. We also had them in quarry operations.

Hon. Mr. Elgie: If you are saying there are some recent examples of professional strikebreakers—

Mr. Mackenzie: It is a very fine line, Mr. Minister, as to how that is perceived.

Hon. Mr. Elgie: —if you will give me the examples I would be pleased to look at them. The professional strikebreaker is something I would certainly have to look at.

Mr. Mackenzie: A bill, while it might be another tiny step, is not what you need. You need much more positive action than just outlawing professional strikebreakers.

Hon. Mr. Elgie: That's your point of view. You know my point of view. I think there has to be a balance; that workers have the right to strike and to receive strike pay and maybe to get part-time work to survive; and that there is an obligation on the company to try as best it can to survive and remain viable, not only for itself but for the rights of workers who will some day be returning to those jobs.

It is a difficult social issue to consider objectively. I do not know that there is any one solid view that prevails in society. Certainly my feeling is there is a balance there now, and without that balance there really is not a fairness to the whole prospect. I do not think there is a fair balance now in the one other province where the kind of law you would propose has been introduced.

Your next comments related to the Ontario

Federation of Labour brief and petitions. I have already commented on that in my remarks in reply to Ron Van Horne's statement.

5:10 p.m.

I do not think the case for first agreement arbitration has been made. If you examined the facts, I do not think you would agree it has been made.

The combination of Bill 89, with the dues checkoff and the other parts of it, and a labour board which has shown that where there are unfair labour practices they can do and direct certain things that should lead the parties to reach an agreement, is a very effective way of producing a relationship that is more likely to succeed than situations where first agreement arbitration is imposed.

I would remind you that under the BC legislation, and I think under that of Quebec, there still has to be evidence of unfair labour practices before first agreement arbitration is imposed.

You are talking about something that really would not change things much in this province, because the Ontario Labour Relations Board has shown that in cases of unfair labour practices they are able to require certain steps that seem to result in contracts. I would submit to you the relationship thus established is more likely to last.

I am not quite sure what you mean by enforcement of board orders. Do you understand that, Mr. Armstrong?

Mr. Armstrong: The Labour Relations Act now provides that any contraventions of board orders be registered in the courts. Once registered they become equivalent to an order of the Supreme Court of Ontario and all of the sanctions follow from that, including contempt proceedings.

I am not aware whether you were referring to a specific case where the enforcement provisions are inadequate. Certainly the mechanism does exist.

Hon. Mr. Elgie: What did you mean specifically?

Mr. Mackenzie: I will leave that for the moment, Mr. Chairman. I will come back to it.

Hon. Mr. Elgie: The next issue raised was the question of domestic workers. I don't think it would be inappropriate if I were to indicate that domestic workers will be covered in the proposed human rights amendments. And coverage under the Employment Standards Act is under very active consideration at the moment. That is as much as I can say at this time.

The question of security guards comes up from time to time. You claim they are exploited. The origins of allowing security guards to

organize as a bargaining group themselves, as opposed to being included with the general bargaining group, are in the fact of their job, which is to function as security guards. It is very difficult to think of them being part of a bargaining unit when their job may be to have some role with regard to that bargaining unit in particular situations.

That was the reason for section 11 in the Labour Relations Act, which allows a separate bargaining unit to be formed but says that they shall not be part of a bargaining unit that includes other employees. You may not agree with that, but that is the rationale for it being the way it is. If you want further elaboration on that later on, I would be pleased to give it.

The minimum wage, as I have said before, is a matter we are seriously looking at. You know the criticisms of minimum wage that have been made recently. I am not sure that I agree with them. The Institute for Research on Public Policy report indicated the minimum wage was not a desirable tool, that it created a degree of unemployment. I am not saying I agree with that, but I can say that the issue of minimum wage is still under very active consideration. We will just have to wait and see what happens with regard to it.

Tip sharing is not an easy problem and you know it is not, no matter how easy you would like to make it. You know that in the United States and in Quebec there are wage differentials with regard to tip sharing, and there are differences from place to place and business to business with regard to the role that various people play, the role of the hostess, the role of the bartender and so on. I know how I feel about it philosophically, but it is not an easy problem to solve in one fell swoop.

I do not agree with you that nothing has happened with the handicapped. I have reviewed, in some detail, I hope, the human rights amendments. I think it is not unfair to say that some members of your party have been complimentary about the Workmen's Compensation Board rehabilitation program. I hope you are not unhappy with the effectiveness of the handicapped employment program.

You are also undoubtedly aware there is a federal-provincial task force now reviewing the issue of handicapped employment. I hope to have a report from them within the not-too-distant future.

You mentioned the quota system. I am surprised if that means you support the quota system, because I know other members of your party and other members of your former union do not, because of the ghettoization that occurs

from it and the limiting factor quotas put on the aspirations of some people. So if you are supporting that, I am surprised.

The government's view has been, in its own hiring practices, we should make a special effort to hire the handicapped. The record supports that but, as you know, that comes under the Chairman, Management Board of Cabinet (Mr. McCague). If you wish to have further details about that program, they can be referred to the appropriate minister in his estimates.

Mr. Mackenzie: Just so there will be no misunderstanding: Yes, I do. I have come to the conclusion reluctantly that the only way you are going to achieve—

Hon. Mr. Elgie: Then, it is not a view that is universally held in your party, nor—

Mr. Mackenzie: I think you will now find more support than opposition to it. But I will not tell you it is a formal position yet.

Hon. Mr. Elgie: The question of wage permit exemptions is being reviewed now by a joint committee of Community and Social Services and us, with the handicapped employment program people being involved as well. I hope we will have some recommendations to make with regard to that in the near future.

The example of Henry Michalec in Hamilton, which you have given me and which Ron Van Horne has referred to, sounds like a very tragic story. As a physician, I have seen people with intractable epilepsy and I know the anger and frustration they feel. But I certainly hope, as a result of the proposed amendments to the Ontario Human Rights Code, people with epilepsy and with other disabilities, who are able to perform the essential functions of the job, will not be excluded from the job market.

As I said before, toxic substances have been reviewed by the deputy and by me.

The volume of correspondence from Paul Falkowski has troubled me as well, because I happen to like Paul, and Paul and I get along pretty well. I am sorry he feels a degree of frustration. It is a degree of frustration that resulted in an average of one or two letters a week over an eight-week period last winter and early spring, which was frankly very hard to keep up with.

As a result, I had a meeting with my staff and the staff subsequently had meetings with Paul. As you know, with the installation of Dr. Robinson as assistant deputy minister, we have also added to the staff a labour relations adviser to the assistant deputy, Cliff Basken. We hope that will improve communications in general and with Paul in particular.

Mr. Armstrong and I were chatting about the frustrations Paul is feeling and about Elie Martel's letter to me. It is my understanding that further meetings with Paul are scheduled in the near future.

Mr. Armstrong: I wrote to Mr. Falkowski about three or four days ago and urged him, despite his frustration with the pace of progress, that it is well worth our while to continue the meetings. I pointed out to him we have solved some of his problems and I do not see that we cannot solve the rest of them. So I hope those meetings can continue.

By the way, I think it is probably the first time all of the involved directors of the division, with the deputy minister and assistant deputy minister, have sat down with a single union to review problems. In the case of the Steelworkers, a number of problems had backed up, many of them legitimate. The procedure we are following is not only advantageous to the Steelworkers but to us as well.

Mr. Mackenzie: I would point out that Mr. Falkowski was not operating in a vacuum or on his own. There have been a number of meetings which had included all the senior staff of the Steelworkers as well.

Hon. Mr. Elgie: As I say, I enjoy Paul and I just hope if there are any unnecessary frictions we can iron them out, because we have no desire to frustrate what he sees as legitimate claims. And when they are legitimate, I hope we can respond to them. We are trying to very seriously.

I do not have personal knowledge about the charges laid as the result of the death of a worker at the National Steel Car Corporation, neither do I know the details of the court dismissal. Were you aware of that?

5:20 p.m.

Mr. Armstrong: Apparently that decision just came down today, did it? We will look into that.

Hon. Mr. Elgie: We will have to review the judgement and evaluate the reasons for the decision, to see whether or not an appeal was justified. I cannot believe you really mean the ministry is shirking its job. I can accept we may not have gone as quickly in some areas as you and Ron Van Horne think we might have. I have indicated my own feelings that I regret we have not gone as far as we had hoped.

I hope we have explained to you satisfactorily the reasons for that delay. There is no deliberate attempt by anybody to try to slow down progress, but it is a very difficult job to get appropriate regulations. The issue of internal responsibility, as you know, was raised in that newspaper

article, and I know the Ontario Federation of Labour and Stewart Cooke, in a recent speech he gave the Steelworkers, indicated dissatisfaction with it. I find—

Mr. Mackenzie: The federation as well.

Hon. Mr. Elgie: I said the Ontario Federation of Labour and Stewart Cooke in a recent speech to the Steelworkers. If you go back to the origin of the internal responsibility concept, it came from James Ham. It was not something generated to try to water down the process of enforcement. It was Ham's honest opinion that society would be better and the whole process would be bettered by a process that involved internal responsibility. Now you say there are some situations in which workers are not considered equal in those committees.

I cannot comment on specifics. I do know in the case of Stelco there is dissatisfaction with the nature of the committee. Both parties were requested to give me their views formally, and I hope to be making some decision about that in the very near future. I think the degree of compliance with joint health and safety committees, on its own, is evidence of things happening.

I mean, good gosh, there is over 90 per cent compliance in all three areas and it is going up monthly. At the end of September in the industrial health and safety division, for example, there was something like 86 per cent compliance. By the end of October, it is up to 93 per cent. And it is changing monthly.

So in the establishment of committees, it is happening; there is compliance. Now obviously, the next step in the process is to see that they work as effectively as possible. I wish it had happened yesterday. But let us not forget the bill was only proclaimed a year ago, and that honest efforts are being made by our staff and, it is hoped, by the parties to make the system work. Because I agree with him that is the ideal.

I am not cynical enough to give up on it yet and I hope in your hearts you are not either. It has societal implications as well as health and safety implications. I think for those reasons we have to pursue it and stick with it.

Mr. Mackenzie: The message I am giving you very clearly, Mr. Minister, is that unless the union is equal in strength to the company, which just does not exist, we are going to have problems with the internal angle, and there will have to be enforcement.

No, I have not given up on it yet. I am telling you that you are starting to run into rough water.

Hon. Mr. Elgie: Your first answer always

seems to be, well let's enforce it. But in the Algoma situation, when we were told that relationships in general were better at Wawa—was it?—than they were at the Sault, we stepped in. I sincerely hope and believe we will see coming out of that an improved relationship, which will allow the internal responsibility system to function more adequately.

Mr. Mackenzie: Enforcement of the order might have saved a life too, in the case of Algoma where we had problems for some time.

Hon. Mr. Elgie: I don't think anybody can say we were pleased about that. But I hope you agree, although things might not be moving quickly enough, we are moving in the right direction, and to step in and take over the role of the enforcer would make the internal responsibility system unnecessary. To lose that would be to lose something important, not only for the work place relationships, but for health and safety. I think it is something we still have to continue to pursue.

Your view that labour should have an advocate in my cabinet and in the government is interesting. I like to think that is what I am—not a conduit, but an advocate for the legitimate aspirations of the trade union movement. It does not mean I agree with everything, but when I do, there is no one who speaks out more strongly, privately or publicly, on those issues. I will continue to do so and I like to think that is being a good advocate for the trade union movement and for the things they stand for.

On vote 2401, ministry administration program:

Mr. Chairman: Mr. Van Horne, you had a couple of questions?

Mr. Van Horne: Yes, we do not have very much on this, Mr. Chairman, but given that the total amount of money here is \$8.7 million and out of that, if I calculated correctly, \$6.3 million is for salaries and employee benefits, it really does not leave much to talk about.

A couple of questions in the main office section; if you do not have the answer right now, I will gladly accept it later. I would like a little more information on the blind workmen's compensation payment of \$10,000.

Secondly, in the legal services, I noted listed on page seven, \$271,600. Is that for outside legal service, or is that all internal legal service?

Hon. Mr. Elgie: Excuse me, where was that, Ron?

Mr. Van Horne: That is on page R103 and it's legal services in vote 2401-7; services are listed as \$271,600. Do you see it there?

The next question is under systems development services, 2401-9; services, the figure is

\$327,700, I would like to know what services are being provided. Is that strictly computer service? Is that a transfer payment or what are we looking at when we look at that money? The only other question I have relates back to my introductory statement, Mr. Chairman, and I don't know that this is the proper place, but I will try it for size.

The minister did defend the staff and its ability. I would like to ask, is there anything in this administrative program budget that accommodates internal evaluation; or is there any ongoing process you have as a matter of good business procedure to analyse the staff; or do you have a staff evaluation program in the Ministry of Labour?

Hon. Mr. Elgie: Mr. Armstrong, would you comment on that?

Mr. Armstrong: On the three monetary items you mentioned—the \$10,000 for the blind workmen's compensation; the \$271,000 on the legal services; and the \$327,000 under systems development—perhaps Mr. Webster has the particulars of those payments. Could you come forward to a microphone and speak to those, Mr. Webster?

Mr. Webster: The provision for the blind workmen's compensation is covered by the Blind Workmen's Compensation Act. It is administered by the Workmen's Compensation Board and it is basically an agreement between the Workmen's Compensation Board and the Canadian National Institute for the Blind, where they do agree to hire people with impaired eyesight.

5:30 p.m.

Mr. Van Horne: Not blind necessarily, but limited vision of some degree?

Mr. Webster: Limited vision, yes. If one of these workers is injured, the Workmen's Compensation Board pays all compensation, medical bills and a pension, if that is necessary. They pass the invoice on to us. They are simply an intermediary.

Mr. Van Horne: Is that \$10,000 a guesstimate? If in fact it is \$8,000, then that is what it is?

Mr. Webster: It is strictly a guesstimate, yes.

Mr. Van Horne: Your experience has been that that is adequate to accommodate any such person who comes to you through WCB. I mean, the incidence would seem to be rather low, if that is all it is costing you.

Mr. Webster: That is a general average. Some years we have to pay more, some less.

You asked about legal services in the amount of \$271,600. The Ministry of the Attorney

General supplies the legal services to us. They pay the salaries of the lawyers and we reimburse the Attorney General. This \$271,600 would be included in the Attorney General's salary budget.

Mr. Van Horne: Going back to a point the minister made about getting an outside opinion on subcontracting; that opinion, then, would be provided by someone who was acquired through the Attorney General. You really don't care whether he is inside or outside, is that right?

Let me twist that around a bit so I can understand where this is going. If it were a legal opinion that you required, as opposed to some other opinion, you would not particularly care, or dictate, for that matter, whether that opinion should come from a member of the Attorney General's staff or from an outside lawyer brought in to do this job.

Hon. Mr. Elgie: We would make that decision. In the particular case you have mentioned we made the decision to get an outside legal opinion; we didn't go through the Attorney General for that. But if the Attorney General's office can supply the legal services we need, we go through them.

Mr. Van Horne: You will recall that a year ago I put a question on the Order Paper about the cost of outside legal services. The answer came back that over \$8 million had been spent on outside legal services over a period of two years. It seemed to me, snooping around as I do from time to time, that there is no particular limit on this; that you, as a ministry, on a sort of need-dictates base, may ask for an outside opinion, and somehow or other the money is there within the confines of your budget.

Hon. Mr. Elgie: Yes, I think that is a fair statement. We try to use the Attorney General's services where it seems appropriate, but if we think an outside opinion is needed, we go outside.

Mr. Van Horne: The systems development services?

Mr. Webster: This is really the charge for computer services.

Mr. Van Horne: That is a transfer over to Government Services, is it?

Mr. Webster: Yes.

Mr. Armstrong: On the more general question of program and personal evaluation I have a couple of comments.

We, like most other ministries, have a very active and aggressive internal auditor who examines our programs on a cyclical basis and brings to my personal attention areas where perform-

ance is not being carried out in strict accordance with the mandate of the particular operating branch.

We have on occasion to retain outside consultants to look at organizational and systemic problems of administration in the various branches. That has been done, for example, over the past couple of years in employment standards, more recently in human rights, at the labour relations board and industrial relations.

You are aware I think, that the MBR program—management by results—is in effect across government. In the Ministry of Labour it is in place in all of the operating branches. Under that program there is a systematic assessment, on an annual basis, of performance against planned targets.

In terms of individual appraisals each program manager is responsible for appraising the performance of his senior staff and discusses the adequacies and inadequacies of their performance with them and reports to me. So far as the program directors themselves are concerned, I have an obligation to report to the senior compensation branch of the Civil Service Commission on the performance of my senior managers and I do that on a regular basis.

It may be of interest to you to know that deputy ministers now are subject to a merit system in one's compensation as a result of a recent change. It is determined by the standard of performance, as assessed by the deputy minister. So there is a series—

Mr. Mackenzie: Is that a means of upping the salary?

Hon. Mr. Elgie: No, his went down.

Mr. Armstrong: That remains to be seen. There is that hierarchical method of appraising performance, therefore, throughout the ministry and throughout the government. It is a very important part of the administrative process and one we take very seriously.

Mr. Van Horne: You have a manual for your senior staff to be familiar with and to follow. It is not done on a haphazard basis; there are certain basic criteria you would look for and they are all aware of that.

Mr. Armstrong: The fundamental criterion is the performance as measured against the planned results. That is the core concept in management by results. I rely rather heavily on not only subjective impressions, which I think are important, but also on the objective results of success or failure under the MBR system.

Mr. Van Horne: In other words there is no manual, but sort of a general outline of objectives.

Mr. Armstrong: There are very specific guidelines on the management by results program and they are followed in this ministry, as in all ministries.

Mr. Mackenzie: I do not know why we argued over the time because we are obviously using the whole thing up anyhow.

Mr. Chairman: It was not by design.

Mr. Mackenzie: I just have three simple questions. Back in July I had a letter from a trade unionist who went to the Ministry of Labour for a copy of the Labour Relations Act in French and was told they were not available. Is this a general situation?

Hon. Mr. Elgie: No. It is at present being translated to French. I have also asked that the explanatory booklet relating to the Labour Relations Act be translated not only into French, but into a variety of other languages of common use for various areas of the province.

Mr. Mackenzie: When would that be available?

Mr. Armstrong: The French language translation program is in place. The Attorney General is responsible for that and ministries have input into his program. There are various target dates for the availability of all our publications which are subject to the translation program. I can find out when the Labour Relations Act will be available. It will be within the next few months.

Mr. Mackenzie: I have two other quick questions, which I think probably come under the administration vote; they do not deal with the figures at all.

The minister was talking about manpower retraining programs—the apprenticeship programs specifically—and said that there might be policy recommendations. Would these include credit for hours in a course towards accreditation?

Hon. Mr. Elgie: I think that would be the specifics of the apprenticeship program under the Ministry of Colleges and Universities. Our recommendations will deal with overall policy with regard to the achievement of desired skill training levels.

I do not have any particular information about that aspect of it. I think that would come under the Ministry of Colleges and Universities.

Mr. Mackenzie: I just raise it because you had said you might make policy recommendations.

Hon. Mr. Elgie: Yes.

Mr. Van Horne: Could I ask a supplementary?
5:40 p.m.

Mr. Mackenzie: Let me just finish the question.

The question arises out of the current fiasco in Ontario. I do not know how widespread it is, but at the Saltfleet campus of Mohawk College, industrial maintenance mechanics people were enrolled in a 1,440-hour course and were told they would have credit for 600 hours at the end of that 1,440 hours.

Six months into the course—and I raised this in the House the other day—they were informed by one of the instructors that there had been some mistake, that the ministry may recommend, but the trainees would not necessarily get it; that it was entirely up to the employer whether they got it or not. There was one hell of an uproar among the people in that course. It seems to be a case of people being led up the garden path.

That might be an area where there would be some input from the ministry.

Hon. Mr. Elgie: I will make some inquiries with the Minister of Colleges and Universities. To date we have not had any input in that.

Mr. Van Horne: Mr. Pollock started to get the message from people involved with the apprenticeship program, the students, employers or teachers, that in many instances the program was just too darned long and cumbersome. Is that the type of recommendation you would feed back?

Hon. Mr. Elgie: I have not got any recommendations as yet. One of the areas they will be looking at is the nature of apprenticeship training, whether it should be strictly time-based or whether there should be some performance-based element to it. I think that is what you are talking about, the performance-based thing. That is something they are looking at.

Mr. Mackenzie: This is my final question. It seems to me I heard the minister make the statement earlier—I want to know if I am putting it in the right context—in dealing with the handicapped bill, the bill he brought in which did not fly, that he thought the bill had general agreement. Was I reading him correctly on that?

Hon. Mr. Elgie: If that bill had general agreement?

Mr. Mackenzie: Yes.

Hon. Mr. Elgie: No, I do not think I have ever said that. But I had not been aware of the disagreement there was about it until the bill was introduced.

Mr. Mackenzie: Then I took it wrong. I took your remarks to say you anticipated or thought the bill had general agreement. In that event I was wondering by whom it was generally agreed.

Hon. Mr. Elgie: I think there are a lot of people out there who are handicapped who thought there is nothing wrong with having that bill as a separate bill.

Mr. Mackenzie: Did you find a group who supported it, Mr. Minister?

Hon. Mr. Elgie: Oh, yes.

Mr. Mackenzie: That is interesting.

Hon. Mr. Elgie: And many individuals too.

Mr. Armstrong: I do not know if this is helpful or not, but my own recollection of what happened just before Christmas last year is that during the late stages of the discussions with the handicapped groups, either on the eve of the intro-

duction of the bill or after first reading, it was apparent that there was an almost complete agreement in substantive terms, subject to certain amendments which we were proposing to make. The fundamental problem at that time, as the minister said, was that the handicapped group did not want to be singled out and dealt with under a separate piece of legislation.

Vote 2401 agreed to.

Mr. Chairman: The committee will adjourn.

On Monday and Tuesday next we will be dealing with the chiropody bill. A week from today we will be back dealing with the ministry's estimates.

The committee adjourned at 5:44 p.m.

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Elgie, Hon. R.; Minister of Labour (York East PC)
Gaunt, M.; Chairman (Huron-Bruce L)
Kennedy, R. D.; Acting Chairman (Mississauga South PC)
Kerrio, V. (Niagara Falls L)
Mackenzie, R. (Hamilton East NDP)
McClellan, R. (Bellwoods NDP)
Van Horne, R. (London North L)
From the Ministry of Labour:
Armstrong, T. E., Deputy Minister
Ignatieff, N., Assistant Deputy Minister, Program Analysis and Implementation
Pathe, L. V., Assistant Deputy Minister, Industrial Relations
Webster, G. A., Director, Finance Branch



No. S-38

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Labour



Fourth Session, 31st Parliament

Wednesday, November 19, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

WEDNESDAY, NOVEMBER 19, 1980

The committee met at 1:11 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF LABOUR

(continued)

Mr. Chairman: I call the meeting to order.

When we adjourned, we were on vote 2402. I presume we can take the vote as a whole rather than going item by item.

Mr. Mackenzie: If I can, I would like to start by asking if a motion would be in order.

Mr. Chairman: Mr. Mackenzie moves that the committee deal with occupational health and safety on Monday, November 24, and with the Ontario Human Rights Commission on Tuesday, November 25.

Mr. Mackenzie: My own perception is that the women's program will take most of the time today, but I suspect we can get through with industrial relations and one or two of the other votes without too much problem in the five hours.

I do it simply because the minister has already said that Dr. Fraser Mustard wants to be here on Monday. It does not make much sense to break it into two sections. We might as well do the entire health and safety vote on Monday if we can. I know some people who want to be here—my colleague Jim Renwick for one—on human rights. If that was scheduled for Tuesday, I suspect you could finish it Tuesday. At least, that is my perception.

Mr. Chairman: Is that acceptable to the committee? Agreed?

Motion agreed to.

Mr. Chairman: We will skip occupational health and safety if we happen to get to it today, and we will deal with it on Monday. The human rights commission and the Ontario Labour Relations Board will be dealt with on Tuesday as well.

On vote 2402, industrial relations program:

Mr. Mackenzie: I do not know whether my colleague from the Liberal Party has anything that he wants to deal with first.

Mr. Van Horne: I will defer to Mr. Mackenzie.

Mr. Mackenzie: I have a number of questions I want to deal with. While Mr. Pathe is here I

would like, if I can, to go into a little bit more detail on, for example, the Westroc situation and the efforts to resolve that particular dispute.

The context in which I want to ask the question is what the ministry people can do in a situation that was deliberate, in terms of requesting a meeting with the union and then withdrawing certain items which were on the table. That seems to me to be bargaining in bad faith, or at least approaches that. I feel sure, and I know the union does, there was deliberate intent to provoke the situation which resulted in the lockout in July in that operation.

Is there not some authority or leverage the ministry has, or are we completely at the company's mercy when they make a move like that?

Mr. Pathe: In this case the items introduced by the company had to do with contracting out and complement of employees. They were raised in a mediation meeting after the commencement of the strike. First, let me deal with the mediator's role.

The mediator does not have the power to direct the company not to do that, or to withdraw the items. The mediator's role is purely a facilitating one. The recourse the union has is what it has invoked; that is, it has taken the case to the labour relations board. I have not seen the complaint but I understand it is a complaint dealing with the failure to bargain in good faith. I am advised that the labour relations board have appointed an officer to look into it and that the officer is scheduled to meet with the parties this Friday.

In a good number of these cases, the parties in that discussion stage with the labour relations officer will agree to go back to mediation. In anticipation that that may happen this week, we have freed up the mediator so he will be in the building and available to resume mediation on Friday. In the event that does not happen, presumably the officer will endeavour, on the board's behalf, to get a settlement of that complaint. If not, it will be adjudicated by the labour relations board.

Mr. Mackenzie: I do not have my file on Westroc in front of me, so I must tell you I am

going a little bit on memory. As I recall the situation as it was put to me, the mediator in the situation asked the union if they would have two people meet with two of the company people. I presume he had done some work to set up the meeting in an effort to resolve the situation. When they arrived the company would not meet with the union people.

The labour relations officer spent a good chunk of the morning with them and then asked the two union representatives to stay, because he thought possibly there was an area of agreement. He left, and then came back a short while later to say he was sorry, but he had to present them with the company offer which, in effect, was a withdrawal of a number of items.

This, to me, is a totally unethical deal. I don't want to put an individual officer on the spot, but I understand he told the union representatives, in effect, that he did not even want to bring it to them because he thought it was an act of bad faith, but that he was required, under whatever guidelines or rules he operates, to do so.

I do not think it should have ever been brought to them, because immediately upon their rejecting that, which they would obviously do in such a situation, the company had the excuse for the lockout.

A situation like that is manipulation of the ministry people. I think the officer involved recognized it as such but apparently felt he had no other option. This may sound a little strong, Mr. Minister, but I do not think he should have brought that counter offer to the union at all. He should have just dismissed them. Obviously our attempt to get together today has not succeeded.

I think I am right on the process they went through. It was described to me in some detail by the individuals involved. When I say this was deliberate manipulation by the company of the union members and the ministry person involved as well, I say it with some reason.

Mr. Pathe: It is substantially accurate, as I understand it. The mediator's judgement was that if those items were presented, it would make the subsequent negotiations more difficult. I believe he spoke to the employer about that and tried to persuade them not to present that offer, but in the final analysis, it is their negotiation and their dispute.

It is a judgement call on the part of the mediator whether to carry it or whether to say: "I am not going to carry that. If you wish it to be presented, then present it across the table." But it is very difficult for him to say it cannot be presented.

He may have made the judgement in this case—I do not know this; I am merely

speculating—that it was better to transmit it than to have a free-for-all, a rather unpleasant meeting across the table. But it is not uncommon for a mediator to say, "I am not going to carry those things because they are not conducive—"

Mr. Mackenzie: He had also already told them the purpose of the meeting was to get them together. It was understood by the union that there would be some last-minute negotiations to achieve a settlement. The company had already reneged on that, in terms of the individual meetings. When the employees rejected that kind of a situation, that was the excuse the company needed to lock them out.

That is just plain manipulation; it was done deliberately by the company. I don't know, but by calling them together on Friday to begin with indicated the officer felt there might be some possibility of movement here. The movement obviously was a totally negative one.

1:20 p.m.

Mr. Pathe: My recollection is that was after the work stoppage, after the lockout began. But you may be right. It may have been on the eve of the lockout. My recollection is that it was not. That meeting was called after the lockout began.

Mr. Mackenzie: My recollection is the other way, but I could be incorrect on that, Mr. Minister. I do not think so.

Mr. Pathe: I am not sure. I can check that out, but I do not think it was.

Mr. Mackenzie: In any event, that is how it was put to me. That is why I am raising the case that this was done as an excuse for the lockout. I can't argue that in situations like this there is not a lot of judgement involved, but I also wonder if you do not make an effort to look into a situation where there has been such obvious manoeuvring or misuse of one of our people.

Mr. Pathe: We can only use our powers of persuasion in those situations. If either side feels what the other side is doing constitutes bad faith, really they have to pursue it by complaining to the labour relations board, and that is what they have done. Those are the matters the labour relations officer will be dealing with this Friday.

We hope they will choose to negotiate rather than litigate, and in that event, we are ready to change the meeting from an Ontario Labour Relations Board meeting to a full-blown mediation meeting. We have freed up Fraser Kean, the mediator, so he can be available.

Mr. Mackenzie: When a situation like that happens, does the mediator come back and

report to you, as director of the division, Mr. Pathe?

Mr. Pathe: He will either report to me or to Mr. Speranzini, the director of the conciliation-mediation service.

Mr. Mackenzie: At that point, is there any further discussion of such an obvious move?

Mr. Pathe: We will discuss it and decide what our next best move would be.

As of the last meeting in mediation, the union gave the mediator an undertaking to go back and consult with the membership. I understand that while there was no change in position, there was to be some clarification of precisely what the employer was trying to achieve in terms of the contracting-out clause and the complement-of-staff clause. As of yesterday, they had not yet had that membership meeting.

We do discuss cases and decide whether one of us should intervene and speak to either or both sides, or whether we should leave it and let the process operate. It is a judgement call in each case.

Mr. Mackenzie: Does the ministry itself—I guess I should know this, but quite frankly I don't—have the authority in itself to charge either party with unfair—

Mr. Pathe: No, we have no power in that regard.

Mr. Mackenzie: Is that a power you would shy away from?

Mr. Pathe: It is not a power I would want to see in the mediation operation. I think it would impair the acceptability of mediation if we were in the business of making judgements about issues and postures at the bargaining table. It is one thing for us to be able to make a judgement and direct somebody to do something, and it is another to work behind the scenes in talking to the parties and pointing out what we think the effect of their activities will be.

Mr. Mackenzie: What I am still looking for in that same situation is how to avoid being put in such a position; how that officer could have said, "This is a lot of malarkey and we are not going to have this kind of game playing going on."

Mr. Pathe: Mr. Mackenzie, it happens on both sides. It is not unusual in a protracted strike situation for either side to change the bargaining positions. We saw, for example—

Mr. Mackenzie: My only comment on that is, who carries the weight?

Mr. Pathe: That is what a strike is all about, in my opinion. It depends on where the pressure is

and who has the whip hand at any particular point.

It is not unusual to find the union in the stronger position and either raising new issues or being much firmer about issues which are already on the table. We saw an example of that in the Inco dispute. That strike could have been settled, in my opinion, for a much smaller package three months earlier than it was actually settled for. The balance of power changes at the bargaining table. So it is not one sided, although when new issues are raised that does make it extremely difficult, regardless of who raises them.

Mr. Mackenzie: I am not sure I completely follow your reasoning in the Inco case. I am not sure I want to get into it at this point. But I am not sure you were going to settle that for any less of a package than it was settled for from day one.

Mr. Pathe: We spent a lot of time with them.

Mr. Mackenzie: I understand some of those—

Mr. Pathe: So it developed, believe me.

Hon. Mr. Elgie: The balance had changed.

Mr. Pathe: The balance changed in the last month or six weeks of the dispute.

Mr. Mackenzie: More appropriate would be right prevailed, I think.

I had a little bit of difficulty with this one because I am really not sure what vote it comes under. Let me try it under industrial relations, to get a response, if I can, from the minister. I am looking at the moment at the seminar which was held, almost a year ago now, at the Hospital for Sick Children, on how in blazes do you get rid of or prevent a union from moving into your operation. I am talking about the anti-union seminars which we have going on in some management circles. I would like to get a response from the minister as to his attitude to these particular operations.

I like the heading, "Making Unions Unnecessary." It is very mild, but it is little worse than some of the stuff in this one which was held at the Hospital for Sick Children, for example. I would like that related to our preamble, which I get so discouraged about but also feel so proud about, in the Labour Relations Act about the employees' rights.

Hon. Mr. Elgie: I do not know what the proper answer to that is. I think one would have to see the agenda and the items covered, because you have put the issue right before us.

Is it in conflict with the preamble to the Labour Relations Act? I think one has to evaluate it on the basis of the particular seminar

or what have you that is occurring, in relation to the preamble to the Labour Relations Act. I really do not know the answer to that in a general way because I think the act, in its preamble, outlines the government's feeling from the general point of view.

Mr. Mackenzie: These are some of the employers' campaign commitments: "Never undersell the union organizer." "Security: Unions need information and access to it; make sure that employers keep current employee lists and files locked, not accessible." "Employers should establish a group to be the nucleus of a union organizing team." This is employers. "Employer reaction to the union campaign will depend on the date when the employer finds out about the union campaign."

This idea of setting up a nucleus, I do not know what the implication of that is unless it is to infiltrate or act as a counterinfluence to the organizing campaign.

"Employers should clearly state their policy with regard to unions: No unions." "Supervisors should communicate informally with employees and deal with them on a one-by-one basis, taking care to avoid, in their discussions with the employees, known union sympathizers."

It is not terribly overt, but the intention is certainly obvious and spelled out. Does that not go against the stated intentions in the Labour Relations Act, allowing employees to organize?

Hon. Mr. Elgie: As you know, there are a couple of cases where there was evidence of covert, agent-provocateur type activity in which a charge was laid of—I think it was endeavouring to defeat the intentions of the Labour Relations Act.

There are mechanisms available where individuals or, in this particular case, the crown, felt activities were taking place which were in contravention of the aims and objectives of the Labour Relations Act. The mechanisms are there to deal with inappropriate activity, attempts to thwart the objects of the Labour Relations Act.

1:30 p.m.

It is very difficult for me to say in a general way how one can go beyond having that type of response to inappropriate activity.

Mr. Mackenzie: I am reading a comment, according to the minutes distributed by the personnel director, F. S. Berg, of the Hospital for Sick Children; I am quoting now: "The seminar's purposes were to maintain an environment where unions are not required to speak on behalf of the employees; increase management flexibility and cost effectiveness; and

increase product production and maintain company competitiveness. The seminar is designed to show employers how to prevent unions from forming and to make life difficult for them if they do form."

I really wonder at the appropriateness of such activities and whether or not we should not be taking a tougher look at allowing people to also make money out of this kind of crap they are peddling to some of the companies in this province.

Hon. Mr. Elgie: Have you any comments?

Mr. Armstrong: I was going to say, Mr. Minister, Mr. Mackenzie is aware of the various provisions of the act which relate to the preamble: section 3, freedom to join a trade union and participate in its lawful activities; section 59, dealing with the prohibition against interference with bargaining rights; and section 61, the general provision which forbids intimidation and coercion with respect to organizing.

I suppose if someone participating in a conference is counselling activity which encourages the commission of offences pursuant to the Labour Relations Act, that indeed is an offence. I am not aware of any case where people who have been offended by activities of this sort have actually tested it, but I think it may well be that the law now exists to support such a test.

Mr. Mackenzie: The problem there, as always, is that we are responding after the fact in a case like this and to test it is not easy. I am just wondering, inasmuch as I see this kind of advertisement and some of the statements made here as being so contrary to what I think and hope the intent of the act is, would it not be simpler to simply outlaw this kind of union-busting activity?

Hon. Mr. Elgie: I guess there the problem is the definition of what is union-busting activity, because the act now clearly forbids certain activities which are recognized as endeavours aimed at thwarting the intention of the act and quite specifically gives authority now to lay such charges. I have trouble seeing how much further one can go and still be perceived as not going too far.

It is a troublesome one, I understand that, because I have seen the odd brochure myself; actually only one that a trade union representative gave me. Do you have any other comment?

Mr. Armstrong: No, I do not think so, only the gratuitous comment that of course if lawyers are participating in this activity and it can be construed as counselling the breach of a provincial statute, that is something which would be of interest to the law society.

Mr. Mackenzie: Even with the comments I have made, how the hell do you prove something like that, Mr. Deputy?

Mr. Armstrong: I guess you attend one of the conferences with a tape recorder.

Mr. Mackenzie: I have no other comments at the moment.

Mr. Haggerty: I want to deal with vote 2402, particularly conciliation and mediation services. I see you have an additional expenditure this year of close to what I guess would be \$100,000.

How many are included in the staff for the conciliation and mediation services? How many officers are available?

Mr. Pathe: There is a director and an associate director and I believe a total of 28 mediators and conciliation officers.

Mr. Haggerty: What has the increase been of new employees in the particular area, say in the last five years?

Mr. Pathe: In 1977 we had an increase of seven mediators.

Mr. Haggerty: Have you had any new ones?

Mr. Pathe: Not since that time.

Mr. Haggerty: Is that not one of the requests by the Ontario Federation of Labour, that they thought more staff in this area is required to speed up negotiations and arbitrations?

Mr. Pathe: I don't believe so, not with mediation. We are doing some work in expanding the number of available arbitrators. In line with section 37(a), the new arbitration legislation, we are training new arbitrators. But I have not heard any complaints about any shortage of—

Mr. Haggerty: I thought that was in the recent brief, that they had requested more mediators in this particular area.

Mr. Pathe: I am not aware of that.

Hon. Mr. Elgie: In other words, I have never personally had a request or a complaint about that.

Mr. Haggerty: Well I don't know. The document is addressed to Robert Elgie, MD, Minister of Labour, and the conclusion is that more mediators are essential. That is their conclusion.

Hon. Mr. Elgie: I recall that.

Mr. Haggerty: And bringing competent mediators into negotiations at earlier stages of bargaining for new collective agreements.

Hon. Mr. Elgie: Are you aware, Mr. Pathe, of any delay in the availability of mediators or conciliators?

Mr. Pathe: We do have our peaks and valleys

of case load, depending on the time of the year and the particular year, and the number of expirations. Generally speaking, we not only handle conciliation and mediation expeditiously, but we are also doing a fair bit of work in the preventive area. And I am not getting any complaints from labour or management about delays.

Mr. Haggerty: I know in almost every brief you have presented to the members of the Legislature, you have always had that particular clause and I am wondering what additional staff you have included in the past years. You said seven, was it, in a period of about 10 years?

Mr. Pathe: It was before my time in this position, but I believe there were some additions to the staff in the early 1970s as well. But in my time, we had what I thought was a substantial increase in 1977, that being seven.

In addition, we added some research support for the mediation staff, and also some clerical support. I believe the record will show we are handling it pretty well. I would not hesitate to make a request for more staff if I felt we needed it. I might add the record is that there has never been any difficulty getting additional mediation staff when the need has arisen.

Mr. Haggerty: Maybe you do not move them into the field soon enough.

Mr. Pathe: Since 1977 we have been doing the preventive stuff, which gets them into the field much earlier in pre-negotiation meetings and consultation. And we appoint mediators now, even before conciliation, where the parties need it. Where the parties indicate they need some earlier assistance because of complex issues, or whatever, we appoint. We don't wait necessarily for the formal application.

Mr. Haggerty: This is one of the areas brought to our attention by the Liberal task force; we travelled across Ontario, this particular area too, and I would just—

Hon. Mr. Elgie: Shortage of mediators?

Mr. Haggerty: That is right. They were perhaps not moving into the areas quickly enough to resolve an issue.

Hon. Mr. Elgie: That is an interesting comment. As you know there are many bargaining sessions where the parties deliberately do not want mediators at certain stages; some unions do not want them, ever.

Maybe some members of that union feel things would have been facilitated by the presence of a mediator, but I have to tell you honestly, aside from that reference in the brief—and you are quite right, and it has been there for many briefs—I am personally unaware of any other

complaint over that particular issue. I am subject to any correction by any other members of the staff.

Vic, have you heard that?

Mr. Pathe: No, I honestly have not had any complaints. The other thing is, and this is strictly my point of view, it is much better to have a shop that is busy and active on an ongoing basis than it is to have a shop where you have a lot of people sitting around, particularly in the slack periods. And I think at the moment we have fewer expirations now annually than we did one or two years ago.

1:40 p.m.

Mr. Haggerty: Are any of your staff involved in teachers' strikes?

Mr. Pathe: We do some. The Educational Relations Commission calls us from time to time and asks for a mediator, and we supply one wherever possible.

Mr. Haggerty: They are normally available when they are requested?

Mr. Pathe: Yes.

Mr. Haggerty: Have they been requested in the strikes in Huron-Bruce and Haldimand-Norfolk?

Mr. Pathe: I don't believe we are involved in either of those, Mr. Haggerty.

Mr. Haggerty: You have never been requested to come into those areas at any time then?

Mr. Pathe: Not in these disputes. The Educational Relations Commission have a roster of freelance, part-time mediators they use generally for most of their case load, but they do from time to time ask us to supply mediators, and we do.

A year ago we had a meeting with them to which we invited some of our newer mediators, so they could become familiar with the need of the education field. As a result of that we are getting a little more work now. We are available.

Mr. Haggerty: What background is required in order to become a mediator for the Ministry of Labour?

Mr. Pathe: In recruiting we look for people with a fair amount of experience in a leading role in labour negotiations, either with labour or management; and personal suitability, the ability to make the adjustment to becoming a neutral. We have a four-stage interview procedure.

Mr. Van Horne: Just by way of supplementary, Mr. Chairman: How many females are there?

Mr. Pathe: We have two female mediators and one female grievance settlement officer.

We did have three, but Jean Read, who was one of our senior mediators, has recently been promoted to the position of director of the office of arbitration.

Mr. Van Horne: Are there any females in the group that has been hired within the last year?

Mr. Pathe: Of two grievance settlement officers we recently hired, one was a woman.

Mr. Haggerty: When can we expect some new legislation with regard to the industrial relations program being applied to every person working in Ontario? You are familiar with the fact that nonunion workers have a right to some protection under the federal legislation, when there is a grievance against dismissal.

Ontario's employment standards, even with the new amendments which talk about layoffs, et cetera, has nothing there for a nonunion person who may be dismissed for unjust cause. When are we going to remove that discriminatory practice in Ontario? About 70 per cent of the working people in Ontario have no access to the labour relations board.

Hon. Mr. Elgie: The labour relations board, by definition, deals with matters that relate to the organized sector. We have had discussions before about it, and I have said I have a great deal of interest in the issue of unjust dismissal, particularly in the unorganized sector. There are problems with it, Ray, and those are the things we are looking at now.

Mr. Haggerty: You have problems in the unionized area.

Hon. Mr. Elgie: No, we don't. The main problem, as I have pointed out before, is that in the case of an organized setting there is the advantage of having bargaining agents who filter out quite a bit of the various grievances put before them before they go to arbitration.

The jurisdictions in the country that now have unjust dismissal sections in their Employment Standards Act, or equivalent legislation, are Nova Scotia, which has legislation which applies after 10 years of employment; the federal government's, which applies after one year, although I would submit most of the employees involved under that jurisdiction are organized; and the province of Quebec, which now has legislation applying after five years of employment. I am not certain if that has been implemented yet but I know it was recently put on the books. That is the same as they have in the UK.

Without saying it is not something we have to be looking at seriously, let us not say there are not other rights. There are, as you know, common law rights with regard to unjust dis-

missal. There is no suggestion there are not common law rights that any person has with regard to unjust dismissal; and that is not to say that under human rights legislation one can be dismissed on a discriminatory basis. So there is existing legislation, to some extent, beyond the organized sector; and there are also common law rights that exist.

Mr. Haggerty: I bring it to your attention because I have had a number of inquiries over the past few years, and particularly in the last six months, around the Welland area, and particularly in relation to women who have been short changed, even in wages, and who cannot collect under your present act.

Hon. Mr. Elgie: Short changed in wages?

Mr. Haggerty: Sure, and other benefits. There is a certain way in which persons can be dismissed so they don't have much recourse. I am thinking of a particular restaurant in the Welland area that just plays havoc with the women in the employment area, and there is not a thing your employment standards branch can actually do. They can go after them and go after them; charges are laid, actually, but there—

Mr. Wildman: Were you out helping them get organized?

Mr. Warner: Why don't you help them organize?

Mr. Haggerty: You don't have to organize everybody. Come on now, don't talk about—

Mr. Wildman: How can you give them the protection of a union without a union?

Mr. Haggerty: Oh yes, I'll be out there with a placard like the rest of you; you would have people carry a card for anything, but I think there are many persons who do not want to belong to a union—

Mr. Wildman: But they want union protection.

Mr. Haggerty: —and they have reasons for it. They may not even have union protection, but I will tell you that in many cases the unions have let a number of workers down too, so don't give me that guff. Let's get back to what we were talking about.

Hon. Mr. Elgie: On that point, let's not pretend there isn't recourse, because under section 68 there is the duty of fair representation, which does give organized workers the right to make a claim if they feel they haven't been dealt with properly. So there is a recourse to that.

Mr. Haggerty: There are, for example, areas in which small businesses, shops or restaurants have gone into receivership: there is no way some of the people involved can claim their wages.

Hon. Mr. Elgie: That is quite right in the case of receivership and other insolvencies. I have written on at least two or three occasions to previous and present ministers about the Bankruptcy Act indicating my view that unpaid wages should have a much higher priority than they do now. As you know, they are now in the preferred category but not in the secured category. I have yet to have anyone write back saying, "Yes, I agree."

Mr. Haggerty: I thought perhaps you would have it in your amendment which you are bringing in on employment standards.

Hon. Mr. Elgie: As you know, that would be ultra vires legislation as far as the province is concerned, because it is federal legislation.

Mr. Haggerty: That's right.

Hon. Mr. Elgie: It is under their jurisdiction.

Mr. Haggerty: But the reverse of that is that we have federal legislation now that applies to nonunion workers who may be dismissed for unjust reasons. We have been talking about the new constitution and a human rights code that would apply there, so you should be moving in this area which will be parallel with federal legislation.

There is a need here, when you look at the fact that 70 per cent of the people in the province are not unionized. They should still have some protection under labour laws, whether they belong to a union or not. The present legislation is discriminatory.

If what you are telling me is that you have to belong to a union, many persons do not want to belong to a union.

Hon. Mr. Elgie: I do not agree that the present legislation is discriminatory in any way. I have gone over the reasons that have led us to assess the matter carefully, and we are still assessing it. I do not agree there is no recourse. I have outlined the human rights portion of the legislation that applies to unjust dismissal for discriminatory reasons and the common law rights that exist.

That is not to say I don't have a great deal of sympathy and understanding about the issues you have raised; we are looking at them.

1:50 p.m.

Mr. Haggerty: You are looking at them. I think you have been saying this for the last seven or eight years now.

Hon. Mr. Elgie: That's interesting. I have been a member for three years.

Mr. Haggerty: Not you, but previous ministers have said, "We're going to take a look at it."

Hon. Mr. Elgie: I didn't know you were

following me around the hospital, Ray, quoting me.

Mr. Haggerty: Oh, I see.

Hon. Mr. Elgie: The thought of a recorder the deputy gave to Mr. Mackenzie may have given you the idea.

Mr. Mackenzie: It is bad enough that we can go back three years on some of the same questions with this minister.

Hon. Mr. Elgie: I do not mind going back two years, perhaps, but three years gives me a little trouble. I have to tell you I think a fair amount has been accomplished in two years.

Mr. Mackenzie: Well, there are a number of issues that have not been covered.

Mr. Haggerty: I would have to say he is at least listening, Bob, and that is more than some of them have done in the past.

Hon. Mr. Elgie: I think the record is not too bad.

Mr. Mackenzie: He is listening with sympathy. It's a new record all the time.

Mr. Haggerty: Sometimes it strikes home. The minister will probably get our point some time, maybe seven years from now. But we will probably be around, Bob.

Hon. Mr. Elgie: Is that a plea on your part or what?

Mr. Haggerty: I bring this to your attention because it is a problem. I think my colleague, Mr. Van Horne, would bear this out from our visits to certain municipalities on the labour task force: we did have this question raised to us.

Hon. Mr. Elgie: Yes. I have read the press releases; quite interesting.

Mr. Haggerty: Good. I hope you will pick up and follow along on some of the suggestions.

Hon. Mr. Elgie: I probably am doing things on my own without any urging; you never know.

Mr. Mackenzie: Were there any specific suggestions in those releases?

Mr. Wildman: They were after anti-scab legislation, weren't they?

Mr. Warner: Was that one of your suggestions?

Mr. Haggerty: There is another area I want to get into when we are talking about nonunionized employees and persons who may be dismissed for unjust reasons. I want to take a look at the agricultural sector of Ontario where we have perhaps an integrated system of—you can call it agricultural production, but again it is the matter of a large corporation in a particular sector of farming; for example, the mushroom

business; the golf course business; the business of removing peat and packaging it and selling it—it is exported in my particular area.

These operations are exempt from certain labour rules and labour legislation because they are considered as part of the agricultural industry. It is even difficult to get an inspector into some of these areas; and there are a number of accidents, particularly in the peat industry. These are areas in which you should be—

Hon. Mr. Elgie: I won't argue with you that there are changes taking place in the agricultural industry and we certainly have to keep looking at them, but you are not suggesting that agriculture in general should become—are you suggesting that?

Mr. Haggerty: No, I said where you have an integrated type of agriculture. It is more a plant type of operation. It is part of one big company. It is a whole complete process.

Hon. Mr. Elgie: I agree there have been some changes taking place. With mushroom fields being covered by a plant and with parking lots being available, there are certain areas we do have to look at as the result of the changing nature of the work place; but let's not pretend that it is an easy problem, because even a private member's bill proposed by one of the members of the third party wants to retain the right of persons to farm farms.

We do have to think of that aspect of it. I do not think you are suggesting otherwise, are you?

Mr. Haggerty: No, I am not suggesting otherwise. But let's look at the tomato industry. This is moving towards becoming a specialized area and you may be running into problems there. Instead of being a family farm operation, it is going to involve hiring a number of employees. Under the present laws they may be exempt, but still they can be in many respects considered an industry.

Hon. Mr. Elgie: Beyond the family farm, then, you would favour considering some legislative coverage under the Labour Relations Act?

Mr. Haggerty: I am saying they should have some protection in certain areas.

Hon. Mr. Elgie: As you know, under the federal programs, with regard to loans and so forth, there is an advantage to farmers who incorporate. I do not think that you feel that is an inappropriate move by your friends in Ottawa.

Mr. Haggerty: You are looking at family farm operations again. One of the reasons they do that is for income tax purposes, following the American principle. I am talking about specialized

operators. I am talking about the greenhouse operators, the mushroom operators; they could be part of a large industry, the processing companies.

Hon. Mr. Elgie: There is no doubt some changes have taken place and that is prompting us to look at it and review the matter.

Mr. Wildman: I want to raise the matter which I raised in the Legislature with the Treasurer (Mr. F. S. Miller), and that is the Elk Lake strike of lumber and sawmill workers and the fact that the owners of the mill were granted a significant EDF grant and given loan guarantees to build another plant, a waferboard operation, which is going to use the waste material from the other plant. The two operations are related to one another. They are different companies but the same owner.

I would like to know, first, what this ministry is doing to try and resolve that labour dispute; and second, what, if any, input this minister had on the decision to make the grant and give the loan guarantees to the people who own the mill that has been struck.

After all, they have been without a contract for well over a year. The mill is now being operated, and has been since July, by nonunion people. I really wonder if this is another example of the inability of the ministry to deal with a strike in an effective way, and if we are basically seeing, across the north, the destruction of the lumber and sawmill workers' union.

Hon. Mr. Elgie: I have no problem in answering your last question, in that I was not consulted about the loan or grant—I guess it was both—to the other company.

Mr. Wildman: No, I said distinctly that—

Hon. Mr. Elgie: I know you did, but fortunately or unfortunately, the law still recognizes different corporations as being different entities. That aside, I had no input with regard to the grants for the new waferboard mill.

I have a little problem in discussing the matter with regard to the strike, because, as you know, each party to the bargaining process has a claim before the labour relations board, and I believe they were heard—I don't know if they are completed, but hearings took place on Monday and Tuesday of this week.

I do recall, last July, personally getting involved and arranging for mediation efforts—late July or early August; I can't recall the exact date offhand. So our mediation attempts have been going on for some time and I personally called the parties in for a meeting in late July or early August, I can't recall which date. But to get into the rightness or wrongness of the positions of

the parties is a little difficult, because those are matters that are before the board right now.

Mr. Wildman: When do you expect a decision to be handed down?

Hon. Mr. Elgie: Were the hearings completed, does anyone know?

Mr. Pathe: I am not sure.

Hon. Mr. Elgie: Do you have any comments on the dispute itself?

Mr. Pathe: No, except the mediator has been in touch with them and pursued the possibility of further meetings, but became convinced there was no possibility for settlement until they finished litigating. They were both determined to get the litigation settled. The mediator decided to let that take place and then renew his efforts to get them back into mediation when that is over.

That should be taking place very shortly, assuming—I am sorry, I did not check to see whether or not the board completed its hearing, whether it is now simply a matter of writing a decision, or whether they have another hearing scheduled. I can find that out for you if you wish.

Mr. Wildman: I would appreciate it. Of course since you are saying it is difficult for you to comment on that, I will deal with the other major strike that involves the same union, at Boise Cascade.

2 p.m.

I wonder what the position of the ministry is with regard to these disputes. Is it simply that, since the mills are in operation, the wood supply is being cut and sent to the mills and only a few people, in comparison to the numbers who went on strike initially, are still out, basically the dispute is over? Or is it the position of the ministry that it is an ongoing dispute that should be resolved? If that is the case, what, if anything, has the ministry done recently?

Mr. Pathe: There have been no recent mediation attempts; not for some considerable period of time.

Hon. Mr. Elgie: I have no hesitation in stating we have put effort into this above and beyond what is done in the majority of such situations; let there be no doubt about that.

Mr. Wildman: I was not trying to deny that.

Hon. Mr. Elgie: I know. Legally there is still a strike, as you know. All of the unions in both plants have signed agreements and are attending work regularly in spite of the fact that one of their fellow teams is still on strike.

Mr. Wildman: This brings up the issue I facetiously raised when our Liberal colleague

was asking questions; that is, the whole question of strikebreakers and the use of nonunion employees to keep an operation going when workers are on a legal strike.

What is the feeling of the ministry with regard to the operation of the legislation in Quebec? Does it feel similar legislation, or improved legislation, might be introduced in Ontario to avoid these long, drawn-out battles which we have not just seen in the woods industry, but also with first contract efforts with small plants in southern Ontario?

Hon. Mr. Elgie: First, in the example given, we do not have a case of a company hiring nonunion workers to operate its plant. We have a case of the unions all having signed agreements.

Mr. Wildman: They have hired nonunion people to do the cutting in the bush.

Hon. Mr. Elgie: I don't defend them, but the facts are they had a lot of work done independently, and they no longer have any cutters.

Mr. Wildman: Exactly. That was the whole point of the strike.

Hon. Mr. Elgie: I understand the reason for the strike.

Mr. Wildman: The fact is, nothing is being done and nothing is going to be done to resolve the situation.

The company has been successful in removing the cutters as unionized employees and moving to contract employees in the bush. So you have jobbers on the limits and a situation where men are having to scramble and work long hours to make payments for heavy equipment. They take shortcuts and use unsafe practices in the bush, and—I do not know this—perhaps are using practices which are not particularly good for the environment in the bush, because they have to make as much money as they can as quickly as they can. That is the nature of the operation.

Of course, that is a benefit to the company because the company then has, basically, a captive group of people who are dependent upon their purchasing the timber because they are caught in the bind of having to make their payments. If the company doesn't buy the timber, they are in serious financial problems. So the company can keep the price down. That was the whole purpose of the strike.

I don't know whether it is useful for us to go into that issue of jobbers on the limits, but my question is dealing in a more general sense with the whole question of anti-strikebreaking legislation and the operation in Quebec of that legislation; what the feeling of the ministry is

with regard to that legislation, and whether it has been contemplated in Ontario to introduce similar legislation, or improved legislation, to deal with this very serious issue.

Hon. Mr. Elgie: A couple of comments with regard to your earlier remarks. If there are unsafe practices going on, I don't know about them; and if they are happening, we should know about it.

Mr. Wildman: Those guys are not going to report to you what they are doing themselves.

Hon. Mr. Elgie: We can't deal with matters in the air; we have to deal with practical problems that face us.

I don't want to reiterate what I have said before. I think there were opportunities for that strike to be settled. I don't want to get into whether the fault was all on one side, but it was a great disappointment to us that we were not able to mediate a settlement. I am certain if you spoke to the disputes advisory committee on that they would tell you they saw some opportunities there for a settlement which were lost.

On the matter of strikebreaking in general, I think it is fair to say there are two provinces which have some sort of legislation: British Columbia, which has legislated against professional strikebreakers; and the Quebec legislation, which forbids the operation of a plant in the face of a strike or lockout.

I have heard a variety of stories. We have not done any formal review of it. We sometimes hear an ad hoc remark about the law being present but not being followed, or only occasionally being followed. I don't know if that is true. Certainly it is something that we probably should examine carefully.

In a general way, I think if there is evidence of professional strikebreakers—that is, a company being hired to perform jobs—then that is something we have to look at very seriously. Otherwise I would have to ask, do you think there should be any balance in the issue? Do you think there is a fair balance in the Quebec situation, where a company has to stop work and wait until an agreement is signed? Or do you look on that as something that disrupts any balance in the process?

Mr. Wildman: I think it quite right that when there is a legal strike—and I underline the word "legal"; all the other processes have been followed, the various stages through mediation, conciliation and so on, both parties have lived up to their obligations under the legislation and it is impossible for them to reach an agreement—both of them should have the opportunity to take action.

This will mean, on the one hand, a lockout if the employer wishes to do that, and to deny his employees their income, hoping that that may persuade them to move towards a settlement. On the other hand, the union should be able to strike to stop the operation, which is the whole purpose of a strike, to deprive the company of some of its profits, to put economic pressure on the company to move from its position and move towards a compromise. I think that is the whole purpose of allowing lockouts and strikes.

I don't think it is a satisfactory way to resolve a dispute frankly. I would much prefer not to have lockouts and strikes, but I think both sides have to have that option open to them; that either the company stop the operation, or that the union do so by withdrawing its services. It seems to me by not having that kind of legislation, what happens is that if the company is able to get other people to come in and do the work their employees have been doing in the past, it tends to prolong disputes and to prolong strikes.

If the situation were such that the union could stop the operation, you would have a lot fewer strikes in the first place, and, second, they would be a lot shorter when they do occur.

In terms of the Quebec situation I quite frankly do not know enough about the operation of that legislation. That is why I asked if you were reviewing it, if your minister had done any analysis of what is happening there and what your feelings were about it.

Hon. Mr. Elgie: Have we done any review of the Quebec legislation?

2:10 p.m.

Mr. Armstrong: We have some information on the way the Quebec legislation is operating. A couple of things that the unions object to about Bill 25, as I understand it, are that it does not prevent an employer from contracting out part of the work during the currency of the strike or from bringing in managers and supervisors to continue the operation.

The balance is difficult. I do not know whether you would agree with this, but do you think it would be a fair balance to say the striking employees ought not to obtain alternative employment during the strike? Would that be a balance that would be fair?

Hon. Mr. Elgie: It would bring some parties back to the bargaining table.

Mr. Wildman: I frankly don't know.

Mr. Bounsall: That is always the old chestnut that is hauled out and it is really a red herring—if you can have a red herring chestnut—in terms of this situation. I do not think that is a logical sequitur to the situation.

Most workers have a hell of a lot of difficulty finding other employment. It usually involves, in one way or another, severing their connections with the previous company. There is a lot of pressure to do that. If he is known to be a striking worker, the other place with an opening won't hire him because they know he will leave and go back.

In the General Motors openings that are occurring in the Windsor slowdown situation, laid-off Ford and Chrysler workers are asked to sign an affidavit that they will not return to Ford or Chrysler should openings recur there. That is in a normal employment situation.

In a strike situation, even if there are jobs open, they will not hire strikers because they know they will go back once the strike is settled. There are not vast numbers of workers out there getting employment, or even seeking it, because of the difficulties that arise in connection with some of their benefits in being able to return. It really is a red herring question in that situation.

If I can just continue on in this supplementary, I think my colleague brought up a very good point about the strikes being shorter. Surely you would hear from your mediator in those tough situations if you asked them, "Would this have been shorter if they had not brought in outside personnel, or if they had not kept running with their management personnel?"

Some industries can run with their management personnel for some period of time. It is in such situations that the incidents occur, because of the feeling at the plant gate in such situations. But what if that was not allowed to occur? Have you asked of your mediation personnel, those who are in the front-line field, would this strike have been shorter, would opinions have been less hard if companies were not allowed to bring in outside people or to use their own management staff?

Hon. Mr. Elgie: I think it is self-evident that, on the one hand, if employees were forbidden to take strike pay or seek alternative part-time or temporary employment, you would have strikes last a much shorter time. On the other hand, I don't think there is any doubt that if a plant or business could not operate, you would have strikes lasting for a shorter period.

Mr. Bounsall: Have the mediators or the ministry made a survey of the number of strikers who have been able to obtain part-time or full-time employment?

Hon. Mr. Elgie: You know that is hard to quantify. You know the estimates vary from very high to very low.

Mr. Bounsall: You are not basing the number

of people who are doing this on any quantitative figures whatever, then.

Hon. Mr. Elgie: It is very hard to get verified quantitative figures, and you know that.

Mr. Bounsall: You haven't tried, have you?

Hon. Mr. Elgie: You know very well—

Mr. Bounsall: You haven't tried it, have you?

Hon. Mr. Elgie: We try not to get on the side of one party or the other.

Mr. Bounsall: You always bring that point up as the reason you are not going to move in this other area, but you haven't even bothered—irrespective of the difficulty—to find out how many.

Hon. Mr. Elgie: Has anyone ever been able to do that, Mr. Armstrong, that you know of?

Mr. Armstrong: I am not aware of it. When the dust settles, the whole thing comes down to what economic warfare is all about, doesn't it? Your proposition is that allowing an employer to operate the plant during a strike tips the balance to the employer.

Mr. Bounsall: Sure.

Mr. Armstrong: I understand that proposition, but—

Mr. Bounsall: We had some examples at Inco.

Hon. Mr. Elgie: Yes, but the balance shifted.

Mr. Bounsall: After how many months?

Hon. Mr. Elgie: I am not saying it was wrong, I am just saying the balance shifted.

Mr. Wildman: Let us use that example. First you said an employee should not be able to—

Hon. Mr. Elgie: I did not say they should not.

Mr. Wildman: You said employees should not be able to get strike pay. Frankly, I am completely opposed to that, it does not make any sense.

Hon. Mr. Elgie: I was not recommending that.

Mr. Wildman: The other question you raised, and, as my colleague says, it is an old chestnut: let us use the Inco situation as an example. As you know, not too distant, 100 miles or so from Sudbury, Elliot Lake was expanding greatly at that time; they needed experienced miners. I can tell you very few, if any, of the striking Inco miners got jobs in Elliot Lake for the very reason my colleague raised, because Denison and Rio Algom both knew as soon as the Inco strike was over, they would go back to Sudbury; they did not want to work 150 miles from their houses.

Mr. Haggerty: There are quite a few miners from Sudbury working in Elliot Lake today.

Mr. Wildman: They have moved. You do not

even know what we are talking about. We are talking about people who were on strike and were going to return to work at Inco. The fact is any person in his right mind is not going to hire those people because he knows he is hiring temporary employees. So at a time when one area in this province, perhaps the one area, was expanding at a great rate, not too far from one of the major strikes where a lot of people had financial problems because they were not at work for many months, they were not being hired.

I know many of them went to Alberta looking for work out there because they could not get work in Elliot Lake and they did not get work out in Alberta either as soon as anyone found out they were from Inco.

Hon. Mr. Elgie: There is no question that Inco was trying to operate during that period, is there? So the situation you are talking about really is not relevant to the question you are raising because Inco was not operating the mine or the smelter or anything.

Mr. Wildman: I think it is relevant. You asked me if—

Hon. Mr. Elgie: You were talking about the balance shifting. What I was saying is at the beginning of the Inco strike, with the company having big stockpiles, it had no need to function. As it got towards the end of the strike, clearly the demand for the product increased to the point that the balance had shifted. And that led to a settlement.

Mr. Wildman: You are quite right. I am trying to answer the initial question you raised prior to that where you said, "Do you think employees should not be allowed to seek employment as well, if you were going to require a company not to use nonunion people to operate, in a general sense?" The implication in that was that employees can get alternative employment when they are on strike, and I was using an example which showed it was quite evident they could not get alternative employment.

Hon. Mr. Elgie: That is quite right.

Mr. Bounsall: What about laws to prevent stockpiling? In all the overtime hours worked by Inco, the Ministry of Labour abetted that, did it not, by the overtime hours slips it allowed Inco to do?

Hon. Mr. Elgie: As I recall, in the winter of 1978 there was a recommendation from some members of various parties to continue stockpiling, as a matter of fact. Are you suggesting that was an error?

Mr. Bounsall: I do not think you should allow

a company that has any record of stockpiling for a strike situation to work beyond the normal hours and you do not give to that company any overtime permits because you are aiding and abetting the length of that strike by so doing.

Hon. Mr. Elgie: I think you are implying a lot of motives and I suspect you do not really mean them. What you are saying is this ministry took part in an overt activity to create a stockpile, and if you are suggesting that, you and I have a problem, my friend, because that is not so.

Mr. Bounsall: If the ministry signs an overtime permit for any company—

Hon. Mr. Elgie: You are saying that is aiding and abetting.

Mr. Bounsall: —any company that has a record of stockpiling to prolong a strike, you are aiding and abetting the length of that strike.

Hon. Mr. Elgie: Now you have added a new statement to it, that we know they are stockpiling.

Mr. Bounsall: Would you have any doubt about Inco in the way it operates, now or in the future, with respect to stockpiling, as to why they are doing it?

Mr. Warner: You know Inco as well as we do.
2:20 p.m.

Mr. Wildman: You can almost curve the stockpile in relation to when the settlements are going to run out.

Hon. Mr. Elgie: You can also curve it according to market too.

Mr. Wildman: Sure, we will admit that. The fact is that Inco was working overtime and increasing their stockpile at a time they were arguing publicly that the market was down and they could not sell their nickel.

Mr. Warner: And they were still doing overtime.

Mr. Haggerty: The bonuses looked good to them.

Mr. Bounsall: This is what one arm of the ministry does and makes it difficult for this branch. Your arbitration and mediation branch has to pick up all the pieces. You work your arbitration and mediation branch officers overtime, cause them endless sleepless nights and worry, they lose weight, all because of your not taking the proper action in the other sectors. You create problems for them.

Mr. Haggerty: I agree with you. I went out on strike for 40 hours a week and now I find they are working 70 hours a week. I lost about six months' wages to win my point for 40 hours work a week. Now 40 hours means nothing today in industry.

Mr. Wildman: That is another thing.

Mr. Haggerty: That is not another thing.

Mr. Wildman: That is another issue, is it not?

Mr. Haggerty: When the dollar is out there, the fellows will work. In the automobile industry, for example, at General Motors in St. Catharines, men had worked seven days a week, 10 to 12 hours, for four or five years in a row. If that was not stockpiling, I do not know what was, but there was a market for it. Then all of a sudden the bottom fell out of it, so now you have a cutback.

When you talk to any of those fellows as I have during campaigns, they thought this was great because they were knocking off \$400, \$500, \$600 a week. Some were paying as much as \$150 to \$200 a week in income tax.

Mr. Wildman: I am not sure exactly what you are saying though, Ray.

Mr. Haggerty: The question is, do you want to tell these fellows they cannot work overtime, they cannot get that production bonus? Be careful, because you are going to—

Mr. Wildman: Some of what we are talking about is required overtime; it was not voluntary overtime.

Mr. Haggerty: It is the same thing that happened at Inco.

Mr. Wildman: We are talking about required overtime.

Mr. Bounsall: The ministry signs overtime permits.

Mr. Warner: He signs there, too.

Mr. Chairman: Order. Mr. Wildman has the floor and perhaps we can let him continue.

Mr. Wildman: If my colleague wants a supplementary question—

Hon. Mr. Elgie: I do not think Mr. Armstrong had finished from quite a while ago.

Mr. Armstrong: I was just going to remind you that our permits do not compel anyone to work overtime.

Mr. Wildman: We were not saying that.

Mr. Armstrong: No, but you cannot use our permits to argue that they are a licence to work compulsory overtime. The act is very clear on that.

Mr. Bounsall: But someone's hand should really shake every time an overtime permit is signed in the ministry.

Mr. Wildman: I did not intend to talk about the Inco situation, but I am just wondering if it would be useful for the ministry to look at what has happened in Quebec since the legislation was passed and to do an analysis of it in

conjunction with your colleagues in the Quebec ministry.

Obviously they must have some views about whether or not the legislation has done what they intended it to do when they introduced it and had it passed—its successes and its failures if any, not only in relation to the strength of the unionized worker in a strike situation but also its effects on the companies, its effects on the length of strikes and the possible effects on the number of strikes that have occurred.

I do not have that information; I do not pretend to. I think it would be useful if the ministry were to attempt to obtain that kind of information.

Hon. Mr. Elgie: Has there been any study of it?

Mr. Armstrong: Mr. Pathe's counterpart has conferred with him and Mr. Pathe's staff has had some discussions with the staff of the Quebec Ministry of Labour, but I think in fairness, Mr. Wildman, not in depth, as you are suggesting. A quantitative analysis of the effect of the legislation on the incidence of strikes, and so on, that kind of detailed analysis, has not been done and it might be useful.

Mr. Wildman: I would appreciate it if the ministry would consider doing that. I wanted to raise one other brief thing and then I will yield the floor.

I was listening to Mr. Haggerty's comments with regard to unjust dismissal. A month or two ago, I got in touch with the ministry over a situation which was similar to that. There were nonunionized workers at a retail outlet from which the individual was fired. She felt she was fired for unjust reasons and wanted to know what kind of recourse she had.

I would like to know what recourse the ministry has, under the present legislation, when they get that kind of an inquiry. What can the ministry do to investigate the situation or to advise the employee or his or her representative who has contacted the ministry?

Hon. Mr. Elgie: We can advise them to have the matter reviewed by a human rights officer, to see if there is any discrimination in it, and we can advise them to seek legal advice about their civil common law rights.

Mr. Wildman: Is that what happened in the one I raised with you?

Mr. Warner: Well, we know the track record on suing for wrongful dismissal.

Hon. Mr. Elgie: No, I do not know the track record.

Mr. Warner: It is not easy.

Hon. Mr. Elgie: There is significant recovery.

Mr. Warner: It is very difficult to get a judgement.

Hon. Mr. Elgie: Significant recovery.

Mr. Warner: In total sums, but it is difficult to get a judgement in your favour.

Hon. Mr. Elgie: Do you agree with that?

Mr. Armstrong: Whatever the difficulties or proof may be, I would have to agree it is difficult to get substantial damages for an hourly paid worker. If you are an executive, you can get six months, or a year, or two years. An hourly paid worker cannot get very much in damages in an action for wrongful dismissal. Moreover, he cannot get reinstatement, which I think is perhaps—

Hon. Mr. Elgie: That is right. That is the position with the common law route.

Mr. Wildman: Which is what I was concerned about.

Mr. Warner: That is the problem.

Hon. Mr. Elgie: That is the problem with the common law route, there is no doubt about it.

Mr. Wildman: Most of them do not want compensation. They want their job.

Hon. Mr. Elgie: But you know the problems I have pointed out are valid ones. We have talked about it before—the very valuable role a bargaining agent plays in filtering out valid reasons from those that are not. That is what perplexes us and what we are still looking at.

Mr. Warner: In which case then your ministry must be actively involved in attempting to ensure that far more than only one third of our work force is organized in Ontario.

Hon. Mr. Elgie: That we are doing what?

Mr. Warner: You must be actively engaged in attempting to make it easier for employees in Ontario to become organized, to become higher on the bargaining—

Hon. Mr. Elgie: Are you suggesting I am on a retainer as an organizer?

Mr. Warner: No, I am suggesting that would be a welcome initiative from the ministry.

Mr. Wildman: In other words to move from your view in trying to remain aloof from the two sides, as you put it, to becoming an advocate for the worker and to assist in any way possible to move towards a situation where we have a greater proportion of our work force organized.

Mr. Lupusella: They are questioning your leadership, in other words.

Hon. Mr. Elgie: I see. Are you?

Mr. Lupusella: Some way.

Mr. Wildman: I would appreciate it if someone could, not necessarily before the committee, get back to me about the particular case I raised with the ministry of a woman in Blind River who believed she had been dismissed basically because of some malicious rumours that had been spread about her, rather than anything to do with her job.

I have not heard back. I would appreciate it if I could find out what happened in that case; I will not take up the time of the committee.

Hon. Mr. Elgie: I assume we have all the details. Was that a recent one? Was that a recent letter?

Mr. Wildman: No. It was not a letter. It was a telephone call. I telephoned the ministry.

Hon. Mr. Elgie: Will you give us her name?

Mr. Wildman: They were going to follow up.
2:30 p.m.

Mr. Bounsall: I just have one item to raise with the ministry. What are you doing now, or what do you plan to do in the future about Equifax Services? They have now thrust themselves into the middle of industrial relations in Ontario with their so-called "service to employees relative to the Workmen's Compensation Board."

I ask this because back in 1972 and 1973, the years in which strikebreaking companies were operating in Ontario, I don't think the ministry took any overt moves—that is, certainly no legislative moves—but it was quite concerned about the operation of strikebreaking firms. One firm was finally put out of business because of prosecutions by the Attorney General's department for wiretapping and for using trucks which were not licensed properly to be on the highways of Ontario.

The Labour ministry itself was not involved in any overt actions, but it was my understanding at the time they were at least doing something behind the scenes to watch the operations of those strikebreaking outfits, which were harming industrial relations in the province, that it was giving moral support by at least seeing the firm was prosecuted.

Now we have Equifax Services coming into the province. I hear they have written to every employer in the province, saying, "While an employer cannot discriminate against a person because of a handicap, careful selection and use of the compensation report can help screen out the professional, habitual workers' compensation claimant." So we know what the thrust of Equifax is.

Mr. Wildman: Very progressive.

Mr. Bounsall: This is really going to disturb

industrial relations around this province, not only just in terms of hiring, but whether or not a company hassles a person out of a job. If a worker is tagged by this company as being an habitual workmen's compensation claimant, it is certainly going to inflame feelings across this province.

Is this ministry doing something about it, like telling Equifax, "This is an unwarranted intrusion in the industrial relations in Ontario and in the way we do things in the province of Ontario"? Have you written the employers in Ontario to say that, "While this is a free enterprise system and any company can come into Ontario and offer basically anything they want to in terms of a service, this is one we frown upon and we advise you not to use this service"?

This is getting into the area of compensation. We had a report tabled yesterday on the availability of workmen's compensation records, and the ministry will be looking at that. I assume that means that workers and their representatives will have a right to that material.

On page two of their letter Equifax say, "We handle the privacy laws on disclosure; that is, if an applicant you reject due to our information wants to see this report, just refer him or her to us." In other words, they were assuring all these companies: "Don't worry about any privacy laws or rules which may abound in Ontario; we will handle all that. Refer any problems to us. If the applicant you have rejected, or the worker you have tagged as an habitual workmen's compensation claimant and hassled out of his job complains, refer him to us for information."

This company is operating in a way that is pretty detrimental to labour and industrial relations in Ontario. Have you taken any of those steps? This company assures that it will be able to provide that information. Is the Workmen's Compensation Board giving out information on claimants in Ontario to a company like Equifax? Can it just write in and get it?

Are you also thinking of saying that a company which has compensation or medical data on workers should not share that with a central company like Equifax? How is Equifax going to get that information, unless it gets it either from the board or from information shared by companies foolish enough to participate in this?

Hon. Mr. Elgie: You have asked a lot of questions. Let us start with the document you have mentioned about habitual workmen's compensation claimants. I find it offensive that there is an implication that people are deliberately creating false WCB claims. The people I know and deal with have legitimate claims arising from an injury.

We have made some inquiries and further meetings are being scheduled to discuss the matter. At this point I can tell you that I have firm assurance that the board has already indicated that no information will be available from this Workmen's Compensation Board. I am distressed to find that on the basis of information at present available to me, apparently the Quebec compensation board does provide that information to Equifax. I find that very disturbing.

You asked if other things are going on; yes, they are. We have some further meetings scheduled and legal advice about the documents which are before you. I would rather not go into it at the moment, if you do not mind. I would be glad to discuss it at another time when those meetings have all been completed. But let me tell you that I share your view that some of the things in that letter cause me great offence, particularly that comment about habitual injured workers—as though it were some voluntary desire to be injured at each job, or several times at one job.

Mr. Warner: Could we have a statement from the minister, indicating that under no conditions will the Workmen's Compensation Board allow access to the files by this company?

Hon. Mr. Elgie: Once we have finished the meetings which are scheduled with a number of people, I will certainly give that consideration. That does not, at this time, cause me any trouble. But I want to be sure about our legal position on things there.

Mr. Warner: In so doing, you may want to review the Workmen's Compensation Act.

Hon. Mr. Elgie: Yes.

Mr. Warner: In my understanding of the act, it would be perfectly in order for you to make that kind of statement and give us assurance that under no circumstances will that information be released to this Equifax company, pending whatever legal action may be contemplated or in effect.

Hon. Mr. Elgie: That is the kind of thing I have to get legal advice about. But I think I have made my own personal feelings clear.

Mr. Warner: We appreciate that.

Hon. Mr. Elgie: And I have had that assurance from the board already.

Do you have any comments about this, Mr. Armstrong?

Mr. Armstrong: No. You mentioned the board has told us that this information is not and will not be provided to Equifax.

Mr. Lupusella: By way of supplementary on

the same question, I raised this question at the end of October in the Legislature.

Hon. Mr. Elgie: I know you did.

Mr. Lupusella: I was expecting the minister to make a ministerial statement in the House about his investigation of this particular service. I am sure you will stand on the premise that after collecting all the information available, and after pursuing meetings with this company, you will make a statement in the Legislature.

Hon. Mr. Elgie: Once we have all data and my legal position is clear, if a statement will clarify any issues, I will not have any problem making it.

Mr. Lupusella: I understand that the position of the minister at this time is that the Workmen's Compensation Board will not release information. My particular concern is by law it cannot prevent the leakage of information, not on the medical information about a particular injured workman, but about his injuries. What kind of guarantee do we have that that information might not be given?

I don't want to doubt the credibility of the WCB, but they are not bound by any law not to release information about accidents in relation to particular workers. They don't have to release medical information, but they can provide, if they want to, information which this particular company is looking for; that is, when the injured workman got injured, how many injuries and so on.

2:40 p.m.

There is no particular clause in the Workmen's Compensation Act which prevents an employee of the Workmen's Compensation Board from releasing this information.

Hon. Mr. Elgie: Is that true?

Mr. Armstrong: I will have to check the act. There is the confidentiality with respect to medical reports.

Mr. Lupusella: About medical reports. Even though you are confident that the Workmen's Compensation Board will not release any type of information, I think leakage can easily take place to this company of information about how many accidents there were, where those accidents took place in respect of particular employees working for different companies. Although I have your word today and in the Legislature that you feel offended by this company's operations, I do not have the confidence that certain information might be released, since no one is bound by law in that regard.

Hon. Mr. Elgie: All I can say is I will pursue the matter further with the board and check the

act itself to see what authority they have. But I have had that assurance to date.

Mr. McClellan: Is there some distinction between the kinds of information we are talking about? You have given us an assurance that the board has not given any information whatsoever. Is that correct?

Hon. Mr. Elgie: I will let the deputy answer that.

Mr. Armstrong: That is correct, yes.

Mr. McClellan: That would include not just information from the medical file, but any information with respect to the number of claims that an individual might have had?

Mr. Armstrong: Any information whatever. There is a letter from the secretary of the board, which I haven't got with me. I don't mind sharing it with you. It says "No information whatever has been or will be given to Equifax."

Mr. Lupusella: My worry is that this company might provide personnel to defend injured workers across Ontario and these injured workers might sign a release allowing it to get all types of information from the Workmen's Compensation Board. What type of assurance do we have that information will not be disclosed?

I am particularly concerned to outlaw such operations, period. I think that is the direction we have to follow if we want to make really sure that this company will not interfere with the affairs of injured workers and create discrimination against them when they look for work different from what they performed at the time they were injured.

Hon. Mr. Elgie: We will be pursuing the whole matter.

Mr. Bounsall: I have just two questions to finish off the topic. Would we be correct in assuming that the legislation on human rights for the disabled, which we hear is on the way, will outlaw the question on employment applications forms, "Have you ever collected workmen's compensation?" That would help in this Equifax situation and with employers who are trying to take an Equifax attitude towards employment of workers.

Hon. Mr. Elgie: I don't mind sharing this with you. It will refer not only to present but past and perceived disabilities.

Mr. Bounsall: So really then that—

Hon. Mr. Elgie: It would deal only with the essential functions of the job.

Mr. Bounsall: You are not sure, at the moment, whether it will outlaw the question? It sounds as though it would.

Hon. Mr. Elgie: I think it does. We worded it with that in mind. If it doesn't, then I would be pleased to talk to you about it and see if you think it needs to be reworded. I think that was the intention of the way we worded it.

Mr. Bounsall: The other question I have relates to privacy. I am not sure where we sit in Ontario. Whenever we talked about this when we amended the Workmen's Compensation Act, there was always a bit of a problem between what a royal commission was doing on privacy of medical information and what medical information we were asking the board to share with workers' representatives.

Is there a situation now in which companies cannot give, to companies like Equifax, medical information they have on their employees? If not, is this not something your ministry should be taking a lead in?

Equifax would be able to exist if the companies who received a letter from Equifax agreed to send names and medical histories of employees who had been involved with the Workmen's Compensation Board. Where do we sit on all this? Do you know?

Mr. Armstrong: One of the things which has happened as a result of the Equifax affair is a request, on our part, for a full legal opinion on the extent to which this practice may offend existing laws. An interim response from our solicitor raises the question of privacy. I have asked for further elaboration on it and am awaiting it.

As the minister says, this is part of our total investigation of the Equifax situation. We want to know precisely whether the situation we refer to is or is not contrary to any existing common law or statute law.

Hon. Mr. Elgie: As you know, there is a movement in the medical world to have a common information file about patients which would be available to physicians everywhere, and there are problems with that. The idea is to have a common information pool, about your health and my health, that is available to other physicians in order to avoid duplication of work. But it raises problems like the one you talk about.

Mr. Bounsall: I assume there are rules which would govern what physicians can do with that.

Hon. Mr. Elgie: Yes.

Mr. Bounsall: I am glad to know this is one of the areas which is being investigated. I would just say to the minister and to the ministry, if it should be possible for companies to pass on medical information or incidences of injuries to a company like Equifax, if that is the legal

opinion which comes back to you finally, that this ministry should take the initiative in ensuring, by legislation if necessary, that it is not possible.

Hon. Mr. Elgie: We are pursuing it and that is the kind of information we are looking for.

Mr. Chairman: Mr. Lupusella and Mr. McClellan both have questions on this point I presume. I should just indicate to the committee, I am quite prepared to entertain a certain amount of latitude, but this really does not come under industrial relations. You are talking about privacy as it relates to the WCB.

Mr. McClellan: I have something else to raise.

Mr. Chairman: Oh, I am sorry. I am quite prepared to allow it, Mr. Lupusella, but I don't think we want to go on too long.

Mr. Lupusella: I am going to be extremely short.

Mr. Chairman: Okay.

Mr. Lupusella: This issue is really important to us and to the minister.

Mr. Chairman: Right. It is an important issue. I am just saying that appropriately—

Mr. Lupusella: Maybe by making certain comments—I have to beg your indulgence, Mr. Chairman—we might enlighten the minister so he will take certain actions to solve this problem. I think Equifax Services Limited is an issue which should have high priority for attention by the Minister of Labour.

As far as I am concerned, any company in Ontario receives communications from the Workmen's Compensation Board in connection with claims affecting the company, about what the injured workman is doing at different stages of his claim. So actually all companies across the province are aware of the state of the claim, whether the worker receives a payment and everything else. They don't have the medical information, but they have all the information related to the injuries.

I don't want to stress this, because I expect I will be shot, but to outlaw the service completely from Ontario is one solution for dealing with this problem.

2:50 p.m.

Mr. Chairman: Thank you, Mr. Lupusella. Mr. Warner and Mr. McClellan have indicated they both wish to speak. Is it in relation to this vote, industrial relations?

Mr. Warner: Yes. Thank you, Mr. Chairman. I always enjoy participating in a committee which the Wingham Wonder chairs.

Hon. Mr. Elgie: What was that?

Mr. Warner: The Wingham Wonder.

Mr. Chairman: I have been called many things.

Hon. Mr. Elgie: I think you have to assume it's a compliment.

Mr. Warner: I use only the polite terms. The chairman has always done an excellent job in chairing committees.

There are three particular items I wish to wish to raise under this vote. We had some discussion earlier about anti-scab legislation. I would like to know from the minister if in his view there is a proper balance in the strike situation as it exists in Ontario, or if there is need for some changes in the laws which affect legal strike situations.

Hon. Mr. Elgie: I have said before, if there is any evidence of professional strikebreakers, by the definition of British Columbia, I am prepared to look at it. I am not saying that in each strike situation there is an equal balance. In some situations the balance is in favour of those who are on strike; in other situations it is in favour of the company, the individual or the business. We are prepared to review the experience in Quebec, but I am not prepared to say whether or not this government is prepared to change the legislation at this time.

Mr. Warner: All right, I understand what you are saying. From my perspective the balance weighs with the employer in most situations. There may be the odd case where it does not, but most times the balance is in favour of the employer.

The employee, while he can withdraw that which is most precious to him, his service, that is the only real weapon he or she has. That's about it, unless you are able effectively to get a secondary boycott, which is not permissible, although there is perhaps that tacit understanding, with employees who recognize what a trade union movement is all about, simply to refuse to cross other picket lines. That happens from time to time fortunately.

Apart from that, if you are faced with scabs being brought in, with the police having the power under the law to bring scabs through a line; if you are faced with the restriction of the number of pickets on a line; and if you are faced with no access beyond the extremity of the property line, which in the case of that company in southwestern Ontario which had the big strike—

Hon. Mr. Elgie: Fleck Manufacturing.

Mr. Warner: Yes, Fleck; I could not forget them—it was virtually impossible.

You are faced, as in the situation with Radio Shack, with not being able to set up a picket around the Radio Shack stores, partly because

many of them are located in indoor malls, and legally you are entitled to picket only on the extremity of the mall property, which in some cases may be a highway—as it is in my area, Highway 401; it's not much fun trying to picket along 401.

You would have all of that against you. What have you got going for you, other than the fact you have withdrawn your service, which may be replaced, at a lower wage, by a scab? So I suggest that the balance, in most cases, is in favour of the employer, and I believe that legislative changes are needed. And not just one; there have to be several things which are done. I don't believe that the government is ready to—

Mr. Wildman: The chairman agrees with you.

Hon. Mr. Elgie: The Wingham Wonder.

Mr. Warner: The chairman may agree with me, the minister may even agree with me. I just don't believe that the government is about to allow that to happen, quite frankly.

I would like to know also what, in your opinion, are the barriers which still remain to organizing in Ontario; that is organizing employees to gain the benefits of a collective agreement and the benefits of union protection. What barriers still remain for the trade union movement in so organizing people?

Hon. Mr. Elgie: I really haven't made a study of it, and I don't want to ask any of the staff to comment on whether or not your assumption that the balance generally is in the employer's favour is a valid one or not. I hear about both sides quite vigorously, as you can imagine.

I acknowledge there may be, and undoubtedly are, situations where the balance is weighted on one side or the other, and I am prepared to look at that, but let's both acknowledge that it is a difficult area to pick and choose on a general basis. It is easier to pick specific cases than it is to pick a general part of the industry or part of the employment world where the rule holds.

I am prepared to look at whether there are any particular instances, or groups of employees in particular situations, that have undue balances against them; and similarly, to look at it from the other side, whether there are any employers who have the same problem.

Mr. McClellan: Firmly on the fence.

Hon. Mr. Elgie: I have to tell you, my friend, there are those who think I am not on the fence. I recall an article the other day which suggested that maybe you needed a new leader. That particular author did not think I was on the fence; he accused me of being nailed to one side

of the fence. I perceive that society would not generally agree with your comment.

Mr. Bounsall: That way they can harass both you and us in one article.

Mr. Wildman: That guy was so far out in right field that he couldn't even see the fence.

Hon. Mr. Elgie: I have no trouble seeing the fence. I see crocodiles on both sides; some nice crocodiles and some bad crocodiles.

I would be interested in what you think are still barriers to organizing. I think we have seen, in the past year or two, some impediments removed; we have seen a board, who in the face of unfair labour practices, has made orders and directions that have corrected inappropriate situations. So I am not sure that I can, right now, look at what I would perceive to be barriers, but I would be interested in your comments.

Mr. Warner: You don't see it as a barrier when a company moves from one area of the province to another to shed its union responsibilities? That is not a barrier to organizing?

Hon. Mr. Elgie: If you are talking about the Westinghouse case—

Mr. Warner: That is not the one I was thinking of.

Hon. Mr. Elgie: It is apparent, though, in that case where the move was designed to defeat the organization, according to the records—I am just speaking from the Supreme Court and the labour relations board decisions—there was a remedy for that.

Mr. Warner: You have to be able to prove it. The fact remains that while it has taken you a long time to organize a factory in one location, if they move, you start over again.

Hon. Mr. Elgie: I agree; you have to prove everything in life. You have to prove that you are the best candidate in Scarborough-Ellesmere. There are various things in life we all have to prove.

You have to break it down into categories. In situations where there is a move taking place for inappropriate reasons, then we do have a remedy. You may say it is hard to prove, but the remedy is there.

If you are talking about genuine moves to other parts of the province for legitimate reasons of provincial or national goals, that is, to encourage employment and development in other parts of the province, or for other valid reasons the company may have, are you saying that that should not happen?

Mr. Warner: No, I did not say they should not move, but that the union should remain certified as to transfer rights.

Hon. Mr. Elgie: You don't think that the new employees in the new community should have the option of choosing that union, a different union, or no union?

3 p.m.

Mr. Warner: No, the union has established itself as the bargaining agent between the employees and the company. Some of the employees in one location will change over time, obviously, either quit or retire or be fired.

Mr. Wildman: Each new employee cannot decide whether or not he wants to have a new union.

Hon. Mr. Elgie: You know the facts as well as I do because I have seen the facts on several moves where job offers to move were made and it is very unusual for any significant number of workers to agree to move; they choose to stay. What we are talking about is a new group of employees and what their rights are.

Mr. Warner: And they have now been certified.

Hon. Mr. Elgie: The new group of employees?

Mr. Warner: I would say the union is transferred along with the company and then the new employees will be members of that union. If they are unhappy, for whatever reasons, they have a legitimate democratic process within that local. That is the way it works.

Hon. Mr. Elgie: I respect your viewpoint, but there is another viewpoint.

Mr. Warner: Let me ask you about the other barrier. Does it still remain a barrier in your view that you have to organize, branch by branch, in companies which have many branches of their operation, for example, in the bank industry?

Hon. Mr. Elgie: I know a province that says you do have to organize them all and before doing so you do not get certification. You are not suggesting you agree with that?

Mr. Wildman: That is a Tory government, but not in Ontario.

Hon. Mr. Elgie: I do not happen to agree with that, but I do agree the situation from place to place, from community to community, may vary and that organization should be on an individual basis.

Mr. Warner: Branch by branch, singly.

Hon. Mr. Elgie: Otherwise you may have situations where in one community there are 10 employees and in another community there are 15 and the wishes of the community in one

establishment are therefore overwhelmed. Do you not agree with that?

Mr. Warner: There is a problem, is there not? Particularly in banks and other institutions, when they learn the terrible old union is in there organizing employees and in the process of collecting cards, they can then transfer people, move them around, to make sure you do not reach the required percentage of cards.

Hon. Mr. Elgie: Would that not be an offence under the Labour Relations Act, Mr. Deputy?

Mr. Armstrong: It might or might not be, but just on this question of organizing branch by branch, I can remember one of the last cases I argued before leaving the practice of law was a certification application for a union trying to organize a branch of a rather well known hamburger outfit.

The strenuous argument by the union was that, branch by branch, was the only way they could get organized. The very strenuous argument by the employer was that the appropriate bargaining unit was the totality of the branches, if you like, in this particular area. I am happy to say the union prevailed. The position of the trade unions on the issue you have raised is that they ought to be able to organize piecemeal, otherwise in a multibranch organization they would never make it.

Mr. Warner: But there is the problem I raised which you have not answered yet.

Mr. Armstrong: You mean following the organization?

Mr. Warner: Yes, in order to keep the cards—

Mr. Armstrong: Subject to the caveat about making generalized statements without particular facts, I think the minister's comment that in the appropriate circumstances, if that were done to defeat organization, it might well be an unfair labour practice.

Mr. Warner: You would have to be able to prove it, obviously, and that is a tough one. So I take it from your comments that you are quite satisfied with the status quo situation in Ontario with respect to organized labour attempting to organize the employees of this province.

Hon. Mr. Elgie: I think we have a very good labour relations climate in organizing in this province. I would like you to tell me of one you think is better.

Mr. Lupusella: I can tell you how we can get better eventually. I never heard confusion about—

Mr. Haggerty: Let us not kid ourselves, they are after that cash flow.

Mr. Warner: It is called employees having someone collectively to speak for their rights.

Mr. Haggerty: That is free cash flow, that is what they want.

Mr. Warner: Workers get no protection from you, do they?

Mr. Lupusella: Mr. Chairman, in this province we are faced with the problems my colleague is raising today. We were unable to establish an industrial democracy which is enjoyed by West Germany. I never heard the Minister of Labour state his position about that and I think all of those problems can be resolved within the environment of an industrial democracy strategy in Ontario.

It seems the previous Minister of Labour, Bette Stephenson, went to Germany to find out what is going on. Did you leave this work aside? Are you pursuing the concept of an industrial democracy in Ontario or is it now going back into the past and was just a concern of the previous minister?

What is your position about this, because I think this problem can easily be resolved if in this province we are going to establish such an environment?

Hon. Mr. Elgie: I think we have a pretty good story to tell in this province. Under this vote, as you know, comes the Ontario Quality of Working Life Centre.

Mr. Lupusella: Why do we have so many strikes if we have a good environment?

Hon. Mr. Elgie: I think, my friend, the record of my personal commitment to democratization in the work place is pretty well known and I hope you will take the opportunity today to talk to Dr. van Beinum about the efforts that are going on and about the good things that are happening. That does not mean the world is going to change overnight and you know it and I know it, but his experience will tell you, you cannot legislate good will in the work place. It happens and it is happening.

Mr. Lupusella: Unfortunately, I am unable to see those effects. Maybe in 10 or 20 years I will be able to see—

Hon. Mr. Elgie: In that case, since we have Dr. van Beinum here, you can ask him about what is happening.

Come on, Dr. van Beinum, move up. We have raised the issue of the work place and I think we have a good story to tell there, one that cannot be told in any other province. I hope you will ask him about it.

Mr. Lupusella: I am asking the question: What are the guidelines you are proposing to

achieve the objective of having an industrial democracy in Ontario, by taking into consideration the principles which are well established in West Germany?

I do not know for how many years they have been established, but they were able to assimilate those principles and there is a good environment between the establishment and the workers of West Germany. Here we are faced with strikes all the time; we are faced with particular demands made by workers; and each time the union is trying to organize a particular plant, the establishment is seeing that process as an evil thing taking place.

I do not see a good environment. Maybe you have policies you are planning to establish. I do not know.

Hon. Mr. Elgie: I think you are on the wrong wicket there because very positive and good things are going on in this province and I do not have any hesitation in saying that I commend to you the efforts of Dr. van Beinum and the Quality of Working Life Centre and I hope you listen to the story. It may not be all you think should be happening, but what is happening is new and different and changes are occurring. That is the way it has to be done.

Mr. Lupusella: Let me ask you, if I may, Miss Stephenson went to Germany to study their model?

Hon. Mr. Elgie: Have I been there?

Mr. Lupusella: No, Bette Stephenson.

Hon. Mr. Elgie: We would like to go. Would you like—

Mr. Lupusella: Okay. Did she go for a trip or did she come back with something really concrete to implement in Ontario?

Hon. Mr. Elgie: I have no idea.

Mr. Bounsall: The same results she got when she went to China to study their education system.

Hon. Mr. Elgie: Dr. van Beinum, do you want to talk about what is happening in the Quality of Working Life Centre?

Mr. McClellan: We will come to that in a minute. What are you doing, studying West Germany?

3:10 p.m.

Hon. Mr. Elgie: I have no problem telling you what we are doing. We have, in the construction industry, a construction industry review panel composed of management and labour who are helping to direct bargaining negotiations and so forth in the sector of construction.

In the retail food industry, similarly, an advisory committee composed of management and

labour is actively involved in co-ordinating and helping to facilitate relationships in that industry. We are moving into other areas which I am not prepared to talk about at the present time, but things are happening.

Mr. McClellan: I will not ask you about them, either.

Hon. Mr. Elgie: You do not want to talk about that because there is an answer.

Mr. McClellan: No, we interrupted David and I wanted to come back to the Quality of Working Life Centre.

Mr. Chairman: Perhaps we could let Mr. Warner finish and then go back to the Quality of Working Life Centre.

Mr. Lupusella: In comparison to the lifestyle taking place in Germany, that is the comparison I want to make.

Mr. Haggerty: Mr. Chairman, I would like to deal with one particular item there, grants to organizations and individuals for promotion of the Quality of Working Life Centre, \$58,000 or is it \$53,000? Are you going to discuss that now, the \$53,400?

Hon. Mr. Elgie: You have the wrong figures somewhere. Would you like to comment on the budgetary allotment?

Mr. Armstrong: I do not have the precise figures here. Gordon Webster will have them. The budget of the Quality of Working Life Centre is in the neighbourhood of \$600,000 per annum.

Mr. Haggerty: I only see \$53,000. That is the one I want on this particular vote.

Mr. Chairman: I think the \$53,400 is for the promotion of the Quality of Working Life Centre.

Mr. Haggerty: I want to know what promotion we are talking about. We have union and management together, that must be part of the promotion thing.

Mr. Armstrong: We can get into a breakdown of the budget of the Quality of Working Life Centre. Dr. van Beinum will do that. I can tell you what the total budget is and, as I say, it is in the neighbourhood of \$600,000.

Dr. van Beinum, do you want to—

Mr. Chairman: Could I just interrupt? Perhaps Mr. Warner could finish and then we can come back and deal with the Quality of Working Life Centre as a package, if that is acceptable to the committee.

Mr. Warner: I have a question about first contracts. Most of the Fleck strike was a first contract problem, and Radio Shack and Fotomat,

and many more. When will we see the appropriate legislation?

Hon. Mr. Elgie: Of course, you are making another assumption, that the first contract arbitration legislation is (a) better than what we have here now, and (b) that it works, and the facts from British Columbia do not show that.

I do not know whether we have the latest figures, but in the figures I gave last year, of something like 60 applications for first contract arbitration, 12 were accepted and contracts imposed; and of those, at the end of one year something like one or two were left. In other words, the message was that imposed first agreements did not seem to be working very well.

What we have here—you brought up Radio Shack, or even before union security was law—in the face of unfair labour practices, which by the way is what you have to have in Quebec and in BC in order to bring an application for first contract arbitration, the board has been able to deal with those situations with the remedies available to them already.

They have done it in the Fotomat case, as you know, recently, claiming there were unfair labour practices, and requiring that the offer be put back on the table. So the tools are there and I am not sure what you think would be achieved that we do not have the meaningful capacity to do already. I really do not, I mean that sincerely.

Mr. Warner: You are telling me again that we will never again see a Fleck situation or a Radio Shack situation because the law is such that that will not recur?

Hon. Mr. Elgie: First contract arbitration legislation would not change the possibility of situations such as those you are referring to, because I think we now have the remedies available which offer us similar and perhaps even better solutions.

Mr. Warner: All right, two things then. First, I would like from the minister the material which he referred to regarding British Columbia; the figures and the conclusions which either they have drawn or he has drawn from that information.

Hon. Mr. Elgie: Sure. We will see that you get that.

Mr. Warner: Second—I want to make sure we are clear about this—as far as you are concerned, the status quo with respect to first contracts is fine; there is nothing that needs to be changed.

Hon. Mr. Elgie: Now we have union security in place with dues checkoff; now the board has made determination about unfair labour practices

and the remedies available to them, I think the concept of first contract arbitration is now obsolete in terms of the—

Mr. Warner: You know the first guy I am going to come to see if another Fleck erupts in the province.

Hon. Mr. Elgie: I cannot say it will not happen. Neither could they say it would not happen in British Columbia.

Mr. Warner: That is why we raise it. The workers of this province should never again have to go through what they did at Fleck, Radio Shack, at Fotomat or at any of those other places. If they do, you will have to carry some of that responsibility, because you are telling me that everything is just hunky-dory in Ontario.

Hon. Mr. Elgie: I don't even think the world is hunky-dory; I think there are lots of problems everywhere in the world. I am telling you we now have remedies for the problem that I do not think have been bettered by anybody in this country.

Mr. Warner: You may give it some second and third thoughts.

Hon. Mr. Elgie: I have been going through documents. I am telling you, honestly, what I really think about that. I hope that history and time show that is right.

Mr. Warner: And if it does not?

Mr. Lupusella: In how many years?

Hon. Mr. Elgie: In your heart of hearts you know I am right.

Mr. Lupusella: The problem is that we see things from a different perspective.

Hon. Mr. Elgie: I am in the middle trying to be fair.

Mr. Lupusella: How people are affected by the problems is something we do not see. When they go to your office, you have an opportunity to find out how the system is working.

Hon. Mr. Elgie: I like to think I am trying to do things to help it work better.

Mr. Armstrong: On the matter of first contract arbitration, I can remember when I first came into the Ministry of Labour that the Ontario Federation of Labour was against first contract arbitration. So the conversion of the federation to that concept is a fairly recent one, if indeed it is a conversion.

I think there is still a good deal of ambivalence in the ranks of the trade unionists about any imposed settlement by a third party, academic or whatever. If you go for first contract arbitration, some might argue, why do you not go for second or third contract arbitration?

We heard, earlier today, a lot about the difficulties at Westroc and so on. Are we moving away from voluntary settlement, with the terminal sanctions of strike and lockout, towards a system where contracts would be settled to avoid economic warfare? I don't know; maybe that is the logical progression of the position the federation now seems to be embracing.

Mr. Bounsall: Has the federation said anything about second and third, in a positive way?

Hon. Mr. Elgie: No. He is just talking about whether this change is a move towards that.

Mr. Bounsall: I don't think we have had any indications of a move towards that.

Mr. Armstrong: I just asked whether that is the logical extension of what they now appear to be saying.

Mr. Bounsall: I think they would say no. First contract arbitration, we understand where that is to be used and it has proved useful.

Mr. Armstrong: All I am saying is that you can get as rough a dispute in the second or third or twentieth contract negotiation as you can in the first one, and why should the people in the first situation be in any preferred position or different position from those in the twentieth round of negotiations.

Mr. Bounsall: You have some situations where in the first contract management has no experience in dealing with union staff; they fear it, they have a whole bunch of bogymen running around in their minds. After they have worked with them for two years, that does not exist any more. It is to get rid of that attitudinal problem, which is based on mythical fears.

3:20 p.m.

They may have just as tough a time the second time, or a tough problem coming up the twentieth time, but it is to get rid of the myths which they fear, of dealing at all with the unionized force; this is where first contract arbitration, if you finally have to use it, is helpful.

Mr. Armstrong: All I am saying is there are arguments on both sides. It wasn't many years ago when the trade union movement was saying, "First contract arbitration is a concept of some academics out on the west coast and we are not a bit interested in it." I hear a little bit different message now. That's why I am a bit confused about it.

Mr. Bounsall: On first contract?

Mr. Armstrong: That is right.

Mr. Bounsall: But nothing on second or third?

Mr. Chairman: Mr. McClellan, you are next on the list, but I gather you and Mr. Lupusella want to talk about the Quality of Working Life Centre. Perhaps we can do it more or less jointly. I gather you would like to hear—

Mr. McClellan: Do it together or one at a time?

Mr. Chairman: You are first.

Mr. McClellan: Before I start, there were two pieces of information I wanted to ask for in preparation for debates we will be getting into next week. Perhaps I can do that now.

We will be dealing with the thoroughly risible record of the occupational health and safety division in designating hazardous substances. Before we get into that discussion, I would like to ask the minister to provide the committee with the work schedule for the designation of hazardous substances updated as of this year. We have it for last year, and I gather of course, none of those schedules was met.

Also, I would like to know what the projected timetables are for each of the 60, 70, 100, or whatever number it is, of hazardous substances that are being worked on. Could that be made available before we get to occupational health and safety branch on Monday?

Mr. Armstrong: That can be made available, though like any document, risible or otherwise, provided to you without the appropriate explanations, it carries with it certain hazards.

Mr. McClellan: I assume we will have the explanation when we get to the discussions.

Mr. Armstrong: We have those documents and we have an explanation I hope you will find comprehensible. I would prefer to have those documents produced with the explanation.

Mr. McClellan: I am quite satisfied with that as long as we have the same background material as we did last year, so we have an idea of what you are doing as we are discussing it.

Secondly, before we get to the manpower commission—if we get to the manpower commission—it is my understanding, from the old grapevine, that the study that the Ministry of Labour has been doing on sheltered workshops for the physically handicapped has been completed and received by the minister. Is that correct?

Mr. Ignatieff: It is imminent, but I don't think—

Mr. McClellan: How imminent is imminent? Are we likely to have it by the time these estimates are—

Mr. Ignatieff: I think that is possible.

Mr. McClellan: Is that something that will be

shared with members of the Legislature as soon as it is completed?

Hon. Mr. Elgie: I think it is an internal document initially. As to what eventually will come of it, I will have to look at it and consider it.

Mr. McClellan: Does that mean no?

Hon. Mr. Elgie: It means I don't know yet. I'm pretty open.

Mr. McClellan: Dealing now with the Quality of Working Life Centre, we are at the disadvantage of having only 15 hours and wanting to ration them fairly carefully. One of the things I had wanted to ask was simply who I can talk to about the quality of Working Life Centre and pursue it after these estimates are over.

Hon. Mr. Elgie: The chairman of the advisory council is the deputy. Dr. van Beinum is the director.

Mr. McClellan: There is one issue I have raised a couple of times. That is the relationship of the Quality of Working Life centre to the construction industry in the building trades.

I think I have talked a couple of times about the still deplorable fact that construction sites operate under the regime of the pushman, or the pusher, and the thoroughly destructive effect that has. To use the word "quality" in relation to the building trades in this province, particularly for labour, cannot be done, I think.

Certainly one of the major problems is the continued existence of the pushman regime.

Has the Quality of Working Life Centre any projects under way with respect to the construction industry? Are they looking, particularly, at the kinds of speedup pressures that workers are under and which, as we all know, cause a substantial number of the industrial accidents that occur on building sites?

Mr. Armstrong: I think the answer is that among the projects now under way there is none in the construction industry. I remember you asked that during the last estimates. I undertook to discuss that with my colleagues on the advisory committee, and I did so.

While there wasn't a totally negative reaction to that question, an observation made by one of them was that in this sort of embryonic stage of quality of working life, we are looking at employment relationships that have some stability and duration, because one of the main thrusts in the project area is job redesign. Job redesign is difficult when you have a finite employment relationship, and it is difficult as well when you are dealing with trades that have historical demarcations and are limited in their skills.

I think Dr. van Beinum takes a somewhat

broadier view of the application of quality of working life—I don't want to put words in his mouth; he perhaps should speak on it—and I think he believes there is no industry in the private or public sector that is not ripe in one way or another for the application of quality of working life principles.

I would just like to say, again by way of introduction, that the candidates for projects seek us out, by and large. The platter is pretty full of people in firms in either the industrial sector, or what we might call the public or quasi-public sector. Did you want to add to that?

Mr. McClellan: I am anxious to hear from Dr. van Beinum, but perhaps before he does, from what Mr. Armstrong said, the concern that you ignore—if I can put it that way—or at least do not deal with, is the most difficult area, the area of greatest need.

We are still in a situation where workers are picked up in the middle of winter at some bloody corner of highways 400 and 7. They stand in the cold, and they are picked up in a rundown bus and driven off to a construction site where they are subjected to continual demands to speed up under the watchful supervision of the pusher. They are pushed all day, and then they are driven back, like so many cattle, to the dropoff point. This is 1980, not 1880.

Progress has been made in other trades—even in some sectors of the building trade progress has been made—but with respect to labour, that kind of progress is not there. If you have a quality of working life centre, and you are initiating projects, surely it is up to you as the minister, and the Ministry of Labour, to set at least some of the priorities, not on the basis of those who are already sympathetic and responsive to the concept, but to those areas where there is no receptivity at all, and where there are really serious problems.

That is what I would like the minister to address. I cannot ask Dr. van Beinum to address the question of priorities. That is a ministerial question, I guess. But perhaps Dr. van Beinum can tell us whether he sees the work of the Quality of Working Life Centre as having to do with these kinds of problems in the foreseeable future.

Dr. van Beinum: As you realize, work life is not a product; rather, it is a difficult, long-term process. Furthermore, it is a process which I believe we cannot superimpose. The best we can do is to respond to emerging processes in the environment. You can only engage in a quality of working life project when there is a

real commitment on the part of management, unions and the workers concerned.

Up to now, the companies and unions that have approached us with the aim of exploring and of developing projects in this area have not included companies in the construction industry. I very much see your point, but that is the reality at present.

3:30 p.m.

We have at present six projects going, and we hope to increase that to about eight by the end of this financial year. They are in different kinds of industries. Some of the projects have to do with the design of new plants, where union and management from the very beginning are involved in trying to see how quality of working life principles can be applied in the early stage of design and building.

Other projects have to do with exploring the possibilities in existing work settings for improving quality of working life by means of redesign in the area of jobs and work organization.

The companies we are dealing with include nuclear refining, auto assembly line technologies, chemical industries and engineering divisions. The unions we are working with include the United Auto Workers, the Energy and Chemical Workers, the Steelworkers, and the International Federation of Professional and Technical Engineers.

Mr. McClellan: I gather, from what you are saying, the ground rules of the operation are that you respond to requests for services, but the ministry does not initiate projects in areas like the area I am talking about, where there is an obvious problem.

Wouldn't it, at the very least, be useful to be initiating some research projects into the pushman phenomenon in the construction industry in this province, and to have a look at how jurisdictions in other countries are able to build buildings without having to treat people in this utterly inhumane kind of way? Isn't that something that would occur rather naturally to the Minister of Labour?

I don't want to put the officials on the spot. I think these are policy decisions that have to be made. Surely these are questions, if you have a quality of working life program, that urgently cry out to be addressed.

Mr. Armstrong: I could say a word about the way in which projects come about. As you know, Mr. McClellan, there is an advisory or steering committee, made up on the union side by Stewart Cooke, Cliff Pilkey and Bob White, with counterparts on the management side.

I think it is fair to say that the union members

of the committee have been instrumental in encouraging at least some people who have come forward wishing to engage in projects on the union side. So there is that encouragement, exhortation or whatever you want to call it, from the union members of the committee.

It is not simply as a result of hearsay that we are in business and that these people come forward. I think there has been some active solicitation by the union members on the committee.

I do not for a moment reject the suggestion you make. In areas where there appear to be flaws in the way in which work is organized and the conditions under which people perform their work, we ought to be researching that, making findings and publishing those findings.

Mr. McClellan: I have made the point before and I make the point again. I think I understand what you are saying. Perhaps that is something we can pursue after these estimates. I simply say again, it is utterly intolerable that construction workers in this province are treated so badly in the work place.

Anyone who has construction workers in his constituency understands that and feels that very deeply. We see the results every Saturday when the crippled and maimed workers come into our offices. They are the end product of the way the building industry is organized in this province.

Hon. Mr. Elgie: You have made a good point.

Mr. Lupusella: I would like to get involved in the quality of working life issue. It happens that I do not share the Minister of Labour's optimism about improvements taking place across the province, for good reasons, and I want to mention some of them, with respect.

One is electronic surveillance, which is now used in work places across Ontario. You showed some sense of concern about the issue and you mentioned a discussion paper; I would like to know the stage this work has reached. What are you planning to do? I recall that you received letters from companies and interested parties about this particular issue.

I introduced a private member's bill to ban electronic surveillance, which, as you are aware, is expanding in the work places across the province. Those at the bottom of the work force are affected by it. You promised some improvements.

My private member's bill was defeated, and you promised you would introduce your own government bill. At what stage is this work? Was a discussion paper just a way to dismiss the issue, or do you really share my concern and plan legislation to deal with this problem?

Hon. Mr. Elgie: At the time your bill was introduced, there was indeed a problem.

Mr. Lupusella: There is still a problem.

Hon. Mr. Elgie: I think it was Ellis who was the arbitrator in the Puretex case. He made certain findings about where electronic surveillance had a role and where it did not have a role. Subsequently, we have carried out a survey. We initially set some deadlines and the responses were so few that we prolonged the deadlines.

I will be happy to go back and review all the data again, but it was very difficult to conclude from the response that there is a problem; it really was.

Should one get into talking about legislation about problems that do not exist? I tell you, if there is solid evidence that things are happening with regard to electronic surveillance which require intervention, I am not hesitant to do it. But on the basis of the material available to me, I cannot justify that there is a problem.

Ellis laid down the rule in an arbitration decision.

Mr. Lupusella: They still have electronic surveillance in that particular industry. Electronic surveillance was removed just from the women's washrooms.

Hon. Mr. Elgie: No, he went further than that.

Mr. Lupusella: It was despicable that they had electronic surveillance in women's washrooms.

Hon. Mr. Elgie: He went further than that. He went beyond the women's washrooms.

Mr. Lupusella: We are talking about the quality of working life. This is a clear example of how working life is across the province. I don't share your feeling that because the response was so limited, we do not have to deal with these practical problems.

Hon. Mr. Elgie: We have made contact ourselves with people to see if they have a problem.

Mr. Lupusella: We don't have to wait until the problem degenerates to the point that you are forced to introduce legislation. I believe in prevention. I am an individual, but I think a lot of people in my party believe in prevention. We have to prevent those things and we should have the legislative mechanism to deal with those problems.

I really don't care that people did not respond to the problem. We are faced with clear indications that the problem exists and we have to deal with it.

Hon. Mr. Elgie: I would like to know the clear indications you have—that is what I am saying—because I could not find them.

Nick, you reviewed those surveys. What did we get back?

Mr. Ignatieff: Mr. Minister, to confirm your point, we received almost 100 comments, but that was as a result of two solicitations by the minister.

3:40 p.m.

The initial report itself was widely distributed. The comments were unable to identify specific problems of the nature of those identified at Puretex. There were not the specific instances we had expected to find. The opinions on the issue were, as one could expect, fairly widely divided. There was no consensus about either the solution, or in fact the existence of the problem we were seeking to find.

Mr. Lupusella: Again, Mr. Chairman, to the minister, with respect, can you review this file based on the response which you got? Can you make a statement of the results of this discussion paper to the Legislature?

Hon. Mr. Elgie: I will be glad to review the file again, but I will not commit myself to any statement or any legislation unless I am convinced there is a problem. Prevention is based upon the fact there is a problem out there which is developing. What I am saying to you is that no good evidence of a problem was forthcoming. If you say you have examples of a problem, let us have them.

Mr. Lupusella: This is the same company. Puretex is using electronic surveillance in the work place. They removed certain cameras from a women's washroom, but they still have the electronic surveillance in the work place.

Hon. Mr. Elgie: I do not understand that, in the face of an arbitration which was pretty specific about the valid use for electronic surveillance and the inappropriate use.

Mr. Lupusella: Again, can you review the file? Can you send an inspector over there to find out the quality of work at Puretex? Eventually, you can communicate your findings to me by letter.

Hon. Mr. Elgie: I will review the file and have that particular plant inspected and communicated with you.

Mr. Lupusella: Okay; that is one issue.

To go on, the Equifax issue is, again, affecting the working life of the people. The Equifax issue is also a problem. Strikes taking place across Ontario, which most of the time are violent, are again affecting the working quality in plants across the province. Sexual harassment is a problem in the working place.

Health and safety matters affecting workers

in the work place are also a problem; the situation here is lamentable in relation to the enforcement process. The fact we have almost half a million people injured every year seems to me to indicate that the quality of working life in the work place is lamentable. In the matter of the number of strikes, it seems to me that Canada, and in particular Ontario, is in first place among industrialized western countries in relation to the number of strikes taking place.

Taking into consideration some of those concerns, my simple question is how are you moving towards an industrial democracy compared to the industrial democracy which is enjoyed by West Germany? Your position is that you are improving the quality of working life of the province. I am of the opinion that the situation is really lamentable.

In which way are you moving to establish an industrial democracy in Ontario by taking into consideration the model of West Germany?

Hon. Mr. Elgie: First of all, let me comment on some of the statements you have made. To start with I do not accept that there are just an incredible number of violent strikes taking place throughout the province. There are scattered incidents, and there always have been, but I think we are seeing fewer now than we have in the past.

I do not think you can condemn a system in which 95 per cent of contract disputes are settled without any strike or lockout and where, as regards the percentage or the number of strikes—contrary to what the facts say—the story is not really all told in the figures we see. If you look at the number of strikes, this country and this province have fewer than most industrialized countries.

The figures come from the number of man-days lost. If you have a situation like Inco, or a prolonged strike like we had in the construction industry due to carpenters, the vast number—

Mr. Wildman: We have longer strikes.

Hon. Mr. Elgie: We tend to have longer strikes. The number is lower but the length of the strike is longer, and that is the kind of thing we are looking at to see what the factors are which produce longer strikes.

Mr. Lupusella: You just said that 90 per cent of the contract—

Hon. Mr. Elgie: Ninety-five per cent.

Mr. Lupusella: Ninety-five. In the remaining five per cent, how many workers are affected? I am not a great believer in statistics, but in this five per cent category, how many workers are affected by it; talking in numbers?

Hon. Mr. Elgie: Can we give the statistics?

Mr. Pathe: I don't have them here.

Hon. Mr. Elgie: Would you like to comment on the facts then?

Mr. Pathe: I don't think at any given point, during the past year, we have had more than 6,000 people on strike or lockout in the province. Today, in our jurisdiction, it is about 4,100. So the numbers on strike have been very low ever since we came out of controls and during the control period.

Mr. Lupusella: Do you mean 4,100 in one year?

Hon. Mr. Elgie: At any time.

Mr. Pathe: At any time. Sorry.

Hon. Mr. Elgie: The number of man-days lost has reduced by 30 or 40 per cent over the past four years.

Mr. Pathe: The number of man-days lost is down but that is affected by the Inco figures, of course.

Mr. Lupusella: Consider also that 65 per cent of the total labour force cannot go on strike because they are not organized by the trade union movement. If we want to give the right perspective to your numbers, we have to realize we have a lot of workers in the work place but they are not organized. They can't go on strike, which is worse.

So I wouldn't be so optimistic about the figure you have given to us today, considering the majority of workers across Ontario cannot go on strike.

Hon. Mr. Elgie: What we are saying is that compared to other industrialized nations, those are the records.

Mr. Lupusella: I was talking about Canada primarily.

Hon. Mr. Elgie: Okay. In our record, in terms of the numbers, strikes—

Mr. Lupusella: I didn't make particular reference to Ontario. I was talking about Canada.

Hon. Mr. Elgie: Sexual harassment: I am sure you know very well that the Ontario Human Rights Commission has utilized the existing code and now there are an incredibly large number of sexual harassment claims being presented. So sexual harassment in the work place is already being dealt with.

In spite of that, I have indicated amendments will be introduced which further deal with sexual harassment in the work place. But don't leave the impression that nothing is happening because it is. There are a lot of cases.

Mr. Lupusella: No. I am sorry. I didn't say that. I said I don't share the same sense of optimism you do.

Hon. Mr. Elgie: You mean you are a cynic and I am an optimist?

Mr. Lupusella: I am a cynic because the problems are there. We are not perfect, I realize, but there is a concentration of problems affecting the quality of working life in plants.

Hon. Mr. Elgie: I agree, I am an optimist. I think things are improving and I hope I never turn into a cynic. I don't suspect you really are either. I assume you didn't want me to get into a long dissertation with regard to your remarks on health and safety because health and safety has been relegated to Monday's discussion. But if you did, I would be glad to get into a vigorous defence of the statement you made.

Mr. Lupusella: I will get into this topic on Monday, anyway.

Hon. Mr. Elgie: Should we transplant the West German system into Ontario? What I have said to you is that there are certain steps under way, in this ministry and in the government, in order to bring labour and management together and to try to co-ordinate portions of the industrial complex. I have indicated that the Quality of Working Life Centre, through its educational aspects, through its publications and through projects, is endeavouring to get a message out to the work place.

Mr. Pathe, through his preventive mediation program, is endeavouring to get the same message out in a different way about improved working relationships.

With regard to specific areas of the economy—I mentioned the construction industry as one and the retail food industry as another—and other areas we are now pursuing, we are endeavouring to bring management and labour together to assist in planning with regard to the working environment and negotiations. So that is the kind of effort we are making.

Whether or not the West German system will be transplanted into this country is a matter I cannot answer for you. I am not sure everybody would agree it is a good system. There are some who say it is in trouble.

Mr. Lupusella: Are you doing any studies?

Hon. Mr. Elgie: I certainly think we should never stop thinking about a better way. Maybe that is a better way. I don't know the answer to that.

Mr. Armstrong: Mr. Lupusella asked if we are doing any studies. The answer to that is yes, we are looking at various European models.

I can remember hearing, not so long ago, the president of the Canadian Labour Congress speaking at, of all places, the Empire Club and saying: "Don't visit us with these foreign transplants. The best form of industrial democracy is free collective bargaining. We are not interested in getting co-opted and being the senior partners in failure and the junior partners in success. We want to preserve the right to engage in free collective bargaining."

3:50 p.m.

Some of us believe elements of those alien systems could be adapted; one of them being the quality of working life as it applies to the shop floor.

But just to reinforce what the minister is saying, I don't think by any means there is a consensus, either among labour or management, that the West German system—with its works councils and the deletion of what North American unions regard as the right of local unions to assert their demands at the local level—is an improvement over our system. The works councils are seen by the majority of North American trade unions as a collaborative endeavour which, although it has some strengths, tends to dilute their authority and power at the local level.

As a more general answer to your question, yes, we are looking at these things. I think the one thing that perhaps has universal application is a nonlegislated quality of working life program of the sort with which Dr. van Beinum has experience in Europe, Australia, Scandinavia and elsewhere; it has some relevance. That is what we are working on.

If I could just take a minute, Mr. Chairman, we recently held a conference involving the participants in the current quality of working life projects on October 15. Among the persons participating was the president of Ford Motor Company of Canada. Just to indicate that management shares the view there are some prospects for improving the situation, let me quote a very short passage from his presentation.

In talking about the quality of working life, he says: "This process reflects a fundamental change in management style from the authoritative approach to the participative approach. In effect, we are saying to employees, 'We need your help.' This concept is an evolutionary one which reflects what is likely to happen in changing management styles. I would say that the 1970s was probably the management-by-objective decade. The 1980s is likely to be the decade of employee involvement or quality of working life."

I think that is encouraging, coming from the president of Ford of Canada. I may say it is endorsed by the United Automobile Workers and there is a very promising fledgling program at Oakville in quality of working life. These are early days, but I think there are some good signs that we are moving ahead.

Mr. Wildman: Is Ford prepared to move the same way as Chrysler and put someone on the board of directors?

Mr. Armstrong: We haven't had that discussion with Mr. Bennett. But what I was going to say is that these areas are, in effect, areas which are complementary to collective bargaining. Labour is very concerned that the steps being taken in this area will not jeopardize the good features of collective bargaining.

It is easy to be cynical and defeatist but I think there are some very good signs as a result of work the advisory committee and the staff of the centre, led by Dr. van Beinum, have been engaged in.

Mr. Lupusella: Mr. Chairman, the best thermometer to measure the quality of working life in the work place will be when the workers' interests will be management's interests and vice versa. We have a long way to go to reach such a stage in order that friction will be eliminated between the management and the workers and unions.

At any rate, there is another element which the minister didn't touch upon and that is the number of injuries taking place in the work place. Since the establishment of Bill 70—this is a personal sharing of a concern—instead of seeing a reduction in the total number of injuries every year, it seems the number of injuries affecting workers in the work place has been steadily increasing.

Can you give me an explanation? How can the situation be rectified in view of the fact that we have Bill 70 now in place?

When we were debating the content and the principle of this bill, I was much encouraged in view of the fact that this bill, in my own opinion, as a long-range goal was supposed to reduce the number of injuries in the work place. Instead, we saw the opposite effect. What type of explanation do you have?

Should I reach the conclusion that Bill 70 is not improving the quality of working life or that the principles under the clauses of Bill 70 are not strongly enforced to make sure such improvements will take place? I have my doubts about Bill 70; how it is implemented; how it is enforced. I see just negative effects. The Ontario Federation of Labour is right in stating that Bill 70 is

failing in the principle and the purpose for which it was enacted in the first place.

Hon. Mr. Elgie: In spite of the fact we had agreed that occupational health and safety would be discussed on Monday, I think I have to answer those questions.

You know very well, in the area of mining, when an unusual situation was identified as the increased number of fatalities was, it concerned everyone. As a result of that, a commission was established, chaired by Kevin Burkett; Keith Rothney from the Steelworkers and Peter Riggan from Noranda Mines conducted an inquiry into the reasons that have led to the increased number of deaths in the mining sector. That is going on now.

If there is identification of any other area where there is an indication of an increased number of fatalities or injuries, then we have to similarly zero in on those. I can't accept that you really believe, after one year, Bill 70 is a failure. That's being overly cynical.

Mr. Wildman: He didn't say that. He asked you if he should come to that conclusion.

Hon. Mr. Elgie: I am telling him he shouldn't come to that conclusion.

Mr. Lupusella: That's what I said, because when you consider the number of injuries that have taken place in comparison with past years and by analysing the figures of those injuries steadily increasing, surely I would have doubts about the principle of this bill and how it is enforced. The question is not that I want to be cynical but the effects are leading me to come to such a conclusion.

Mr. Haggerty: Mr. Chairman, on a point of order, are we going to carry vote 2402 or are we going to deal with occupational health?

Mr. Lupusella: No, we are talking about the quality of the working life.

Mr. Haggerty: This has nothing to do with the industrial relations program. I am waiting for a question that I asked almost an hour ago, related to this particular vote, and it is still sitting there.

Mr. Chairman: The Quality of Working Life Centre comes under this particular vote, Mr. Haggerty.

Mr. Lupusella: Right, you are missing the point.

Mr. Chairman: The occupational health vote is not going to be dealt with until Monday.

Mr. Haggerty: Well, that's what we are dealing with; occupational health.

Mr. Chairman: It is in and out but basically, as

I understand it, we were talking about the Quality of Working Life Centre.

Mr. Lupusella: Right. I think it is interrelated with the quality of working life, that's why I raised the issue.

Hon. Mr. Elgie: I think that was the essence of Jim Ham's report, that internal responsibility with the joint management-labour committees was at the root of it. That is what we are really talking about, improving not only relationships but health and safety in the work place.

How can you judge it? I can judge it by the degree of compliance with regard to health and safety committees. The compliance is increasing monthly. I forget the exact figures, but in the construction industry it is between 90 and 95 per cent, up to this point. It is at the same level in mining.

Industrial health and safety, particularly in September: 86 per cent of companies were in compliance; by the end of October, 92 per cent were in compliance. The number goes up monthly. So there is evidence of compliance to the concept of internal responsibility and joint health and safety management committees.

4 p.m.

Are they all working? Certainly they are not all working yet. We have identified a concern up in the Algoma area, as you know, where the health and safety committee at Wawa was working with the same union and the same employer but it wasn't working in Sault Ste. Marie, for some reason. As a result of that, Mr. Basken, from the occupational health and safety division, went in and has established a program to better understand the relationship and the problems that exist in that particular industry. I have to tell you that there appear to be very good reports coming out of it.

There was another complaint from Stelco that there are not sufficient health and safety committees. I took the complaint of the union, gave the company a deadline to respond—I think it was at the end of October—and we are now going to make a determination on whether or not there are sufficient health and safety committees at Stelco.

In the case of Inco, the trade union complained that there were not enough inspections going on. We reviewed that, spoke to both parties, and ordered an increased number of monthly inspections.

So there will always be situations that have to be addressed and dealt with, either in a co-operative way or by way of enforcement, but certainly there is no lack of willingness to go either route if it is shown to be necessary.

I just ask you not to be pessimistic at this stage of the game. Again, there are things developing, it is happening, but it is not going to change overnight. There will be unhappiness that inspectors are doing too little on behalf of some, but I have to tell you there is also unhappiness that they are doing too much on behalf of others. We have to deal with both of those complaints. We are doing so and we are trying to do it equitably.

Mr. Lupusella: Mr. Chairman, I am going to elaborate my presentation on that issue on Monday.

Mr. Chairman: Right. That would be more appropriate.

Mr. Bounsall, did you have one point with respect to the Quality of Working Life Centre?

Mr. Bounsall: Yes. I would like to question Dr. van Beinum in a certain area. In the Quality of Working Life Centre, what are your activities, or what is the degree of time spent studying the whole situation of sexual harassment?

Hon. Mr. Elgie: Are you for it or against it, that's what he's asking.

Mr. Bounsall: That really wasn't what I was asking.

Dr. van Beinum: In our six involvements in real life work settings on the shop floor level, we have, up to now, not come across any incidents of sexual harassment. It has not been raised yet, by the workers or unions or local management, as an issue in that particular work setting.

Mr. Bounsall: No one has asked you, at the Quality of Working Life Centre, to concern yourself with sexual harassment problems as a factor affecting the quality of working life?

Dr. van Beinum: No.

Mr. Bounsall: I don't know, really, what your activities are. It would seem to me that would be a reasonable thing for the Quality of Working Life Centre to be concerned with.

Do you not have enough resources? Do you not have the time? Or is it just because no one has asked you and it just hasn't occurred to you that this would be a legitimate area of Quality of Working Life to encounter? Or are you just far too swamped with other studies and investigations that you couldn't take it on, even if asked?

Dr. van Beinum: The situation is as follows, sir.

Quality of working life is not one thing, it is many things. When we define quality of working life, it is the quality of the relationship between work, as in the work situation, and includes such things as wages, pension schemes, physical conditions of work, occupational health and safety, incidence of sexual harassment; but our

orientation in that whole domain, you could say, of the quality of working life, is on the conditions which will increase the responsibility of workers in the work setting, which will increase the involvement of people, which will increase—you can almost say the elbow room of people in the actual job.

As such, by the the way, I would like to call this direct industrial democracy—if you want to use that term—because it means democratizing the relationship between people and their work, versus indirect industrial democracy, as practised in Germany, where people have been influenced by means of representative systems.

As our orientation is very much in the direction of the manner in which jobs are designed and workers organized, it does facilitate elbow room, responsibility and involvement. So it has to do with the intrinsic elements, you can almost say, of job design.

As such it is not directly focused on the issue of sexual harassment. This does not mean, of course, that if we are engaged in real-life settings in collaboration with union, management and workers in trying to shift the work setting and the way jobs are designed in such a way that you will improve the quality of working life, that you may not come across issues of sexual harassment, in the same way as you may come across issues of behaviour of first-line supervisors or conflicts between workers or issues to do with occupational health and safety.

So I am not avoiding it, but it has not entered our purview in—

Mr. Bounsall: I understand the thrust. My colleague wants to know what "elbow room" is in the context in which you have used it. Perhaps you can reply to that.

But just let me ask one other question before you reply on the elbow room.

Mr. McClellan: That seems be the basic concept, doesn't it?

Mr. Bounsall: Yes, right. In expanding the direct involvement and looking at how that can be expanded, either directly or indirectly, are you not dealing with changing attitudes?

Dr. van Beinum: Sure.

Mr. Bounsall: And therefore you are dealing, in some part of that, with the attitude which is traditional out there towards women, one component of which is sexual harassment, among all the other discriminations that occur towards women—the opportunities, the number they will hire, the advancement, the equal pay for work of equal value, which is so very necessary in terms of attitude. You are dealing with an attitudinal thing which brings in all these dis-

criminations against women, one of which is sexual harassment.

Dr. van Beinum: Sure. We deal with attitudes in two ways. On the one hand, as a result of an existing relationship between people in a work setting there is an attitude, there is a form of behaviour, as a result of something. As such, we are engaged in the process of changing attitudes in the sense that when work is organized in such a way that it is going to increase your opportunity for learning, increase variety on the job, when you increase the sense of meaningfulness in work, as a spinoff, attitudes will change.

So in that sense, attitudes play a very important role, but we are not involved in changing attitudes as a thing, as a physical phenomenon you change, because that is not, we believe, the way attitudes can be changed. The way we are oriented in the field of the quality of working life, you cannot change the attitudes of people in isolation from the relationship between people and the actual task they have to perform.

In other words, we would not make, in my view, a contribution towards increasing the quality of working life by taking workers away and putting them through some kind of training in order to change attitudes and not do anything about the nature of the relationship between people and tasks. The unit of concern is the relationship between people and their actual jobs.

Mr. Bounsall: I am sorry to be so ignorant on exactly what it is you are doing. You are actively involved with certain companies in these studies?

Dr. van Beinum: Yes.

Hon. Mr. Elgie: In these projects.

Dr. van Beinum: Projects. The companies you must visualize as teams including workers, local management and local unions jointly involved in exploring the possibilities, in a given work setting, for the improvement of the quality of working life. So workers are, from the very beginning, involved in the whole development, the design and the monitoring and evaluation of the actual project.

In other words, it is not something which is superimposed by experts. We try to facilitate that the values and the line objectives of quality of working life projects are very much applied in the actual process of trying to achieve a quality of working life.

4:10 p.m.

Mr. Bounsall: Okay. Your major thrust, then, is between the worker and the task and how you best organize it to achieve a better quality. I understand that and I understand that you are

working with an attitudinal thing on the part of everyone involved. Still with those projects, is this one of the six companies with which the women's bureau has a very active affirmative action program going on as well? If not, do you not see that, while not the main thrust, a subsidiary thrust of your effort there, along with other related problems, such as sexual harassment and underpayment for the value of the work done?

Dr. van Beinum: Yes, I see it very much as complementary.

Mr. Bounsall: Would it be fair to say, though, that in the particular six chosen, it hasn't come up yet?

Dr. van Beinum: No, it hasn't. That may well have to do with the fact that in many of the work settings, the number of women employed is very limited. On the assembly line of the Ford Motor Company of Canada in Oakville, in that particular area where we are working, there are no women at all.

Mr. Bounsall: So they really need to be very high on the list of affirmative action programs, if not by you, then by another branch of the ministry. Maybe we could ask the women's bureau to make a special effort to talk to Ford on that area of their projects as well, so women are offered employment at least in proportion to the number of women in the work place compared with the number of men.

I know you can't fight every battle in society all at once and equally vigorously, but I hear you state there is one employer company in which you couldn't possibly look at this because there are no women there. There is a failure of affirmative action generally in that area.

Dr. van Beinum: Indeed, the quality of working life is not an answer to all problems, as you pointed out.

Mr. McClellan: Surely you ought to be able to deal with the structural problems in the work place. I understand from what you are saying that the emphasis is on a kind of a sensitivity approach unless I have misunderstood you. You are talking about dealing with attitudinal problems principally.

What I am hearing you saying is that you are using a variety of techniques that relate to and originate from sensitivity training experiences, but you are not dealing with the structure of the work place or with the power relationships in the work place, which means you are not dealing with the issues Mr. Bounsall is raising, such as the subsidiary status of women within the economy.

You are not dealing with problems within the

construction trade which have to do with power relationships in the work place; that is, who is ordering who to do what, who is making the decisions and what degree of decision-making power workers have with respect to their own responsibilities. I don't pretend to know very much about the centre, but unless I am totally misreading what you are saying, that is the impression I am getting from this discussion.

Dr. van Beinum: Perhaps I was not very clear. We have very much to do with the structural features of the work place. As a matter of fact, the quality of working life development is very much characterized by changes in the structural characteristics of the work place. It very much involves changes in power relationships, a shift from exclusive, external hierarchical control towards more internal co-ordination control by workers in the actual work setting.

You cannot increase what say people have in the actual work setting; you cannot increase variety on the job or opportunities for learning and ongoing learning; you cannot increase a sense of meaningfulness, without changing the relationship between people and the actual task. Among other things, it has to do very much with finding the right fit between the demands made by technology and the fundamental characteristics of people and their fundamental social and psychological needs pertaining to work.

As such, the developments in this field are not based on sensitivity training at all. They are much more based on work done in the 1950s in British coal mines, where the notion was developed that the quality of working life, in the sense of increasing responsibility of workers in the work setting, can be improved by identifying the degree to which there is organizational choice in the real life setting, which includes the way technology is designed for a particular work process and the way you design people in that work setting and organize the relationship among people.

In other words, it is very much a structural issue. That is why it is such a tough, long-term, difficult process. You are changing the existing structural arrangements in work settings.

Mr. Chairman: Mr. Haggerty is next. Did you have a supplementary on this point, Mr. Bounsall?

Mr. Bounsall: Yes. I wanted to indicate I was still on the topic I was asking the doctor about, if I could just continue for a minute.

A couple of questions have arisen in my mind since I asked the original question. How many employees are in your centre?

Dr. van Beinum: At present we have a full-time staff of five, plus secretarial assistance.

There are four people who are working part time on a regular basis with us and three associates who work with us on an ad hoc basis. So the total staff is about 12, plus one secretary.

Mr. Bounsall: The reply you gave to my colleague triggered this question. What is the best sort of background for these five full-time, four part-time and three consultative positions? It sounded as if it wasn't in the psychological field. You talked about the coal mines, which makes it sound like an industrial engineering field.

If you were to double your staff or, say, hire nine more people, where would you place the ads? In what area would you be looking? People with industrial engineering backgrounds as opposed to sociology or psychology?

Dr. van Beinum: I would go for people who have experience with processes of organizational change, irrespective of whether they are psychologists or engineers, because both are necessary. Particularly I would look for people who are—this may sound a bit strange—comfortable with themselves. It is a very tough process to engage in.

Moreover, I would look for people who very much believe in the values of humanity and human dignity in the work place and who will not alienate workers by playing the role of an expert who cannot identify the locked up, stored and unused information experience which is there on the shop floor to be released.

Mr. Bounsall: So, irrespective of formal background, you have been looking for a certain individual sensitivity and individual approach.

Dr. van Beinum: Correct.

Mr. Bounsall: How many of those you now have are women?

Dr. van Beinum: We have three women at present in the centre in a professional capacity.

Mr. Bounsall: In their sensitivity it hasn't occurred to them to pursue the subsidiary items I have mentioned.

Dr. van Beinum: Oh, very much so, sir.

Mr. Bounsall: I thought you said it wasn't being done.

Dr. van Beinum: I know they are very sensitive to these issues. That makes me fairly confident that the issues you are raising are not of any significance in the size of the field we are working in.

4:20 p.m.

Mr. Bounsall: How did you arrive at the six work places you are looking at? Did you advertise and the six came flooding in? Do you have a

capacity to expand beyond the six projects you are on without an expanded staff?

Dr. van Beinum: It was a mixed variety of—

Mr. Bounsall: Did you go out and solicit them?

Dr. van Beinum: Not really. As a result of the education activities we organized—seminars and workshops, for instance—management and unions approached us for more information. Then we became involved in a dialogue with many of them. Out of these, several emerged who were seriously interested and committed to engaging in a quality of working life program.

Sometimes we were approached directly, without a workshop. Sometimes, as Mr. Armstrong indicated, it was also stimulated and initiated by the members of our advisory committee, including the members from the union movement. The fourth project is very much a United Auto Workers' project.

Mr. Wildman: What have you done to improve the quality of working life of your secretarial help?

Dr. van Beinum: We try to do that by involving her, as much as is possible, in the total operations and not having her working just as a secretary, sitting behind a typewriter and answering the telephone. She participates in all the staff meetings and when, as we sometimes do, we go outside to deal with complex policy issues, she is a full member of the participants. We are very much aware of that.

Mr. Haggerty: Relating to item one, program administration, under which there are grants to organizations and individuals for promotion of the quality of working life, I believe the deputy minister has indicated the sum of \$600,000. One of the studies in this area that comes to mind is the occupational study related to the nickel mining industry, which was being carried out by McMaster University. Has that study been completed?

You also had another study on hearing problems being carried out here at Mount Sinai Hospital by, I believe, Dr. Alberti.

Mr. Armstrong: Those grants would not be under this vote, Mr. Haggerty.

Mr. Haggerty: What would they come under? You were talking about \$600,000. Where is it hidden in the report?

Mr. Armstrong: It is not hidden anywhere.

Mr. Haggerty: It has to be.

Mr. Armstrong: It is in another vote.

Mr. Haggerty: What vote?

Mr. Armstrong: It would be under occupational

health and safety, I assume. It is certainly not in here.

Mr. Haggerty: These are grants to organizations. You are giving them to the universities.

Mr. Armstrong: Maybe, Dr. van Beinum, or Mr. Webster, you can—

Mr. Haggerty: There are about 30 different organizations that have been funded by Wintario or provincial grants.

Mr. Armstrong: None of these is in here. I have before me the total appropriation, which is \$664,600, of which there are grants to organizations and individuals for promotion of the quality of working life, totalling \$53,400. Perhaps you could give us examples, Dr. van Beinum, of the nature of those grants.

Dr. van Beinum: We have not given any grants to organizations. This amount is still not touched. We touch it in the sense that we sometimes transfer money from this item into other categories. We are, in all our activities, continuously engaged in promotion in all our field projects, in all our educational activities. All the activities of our information services, our newsletter, the information kits we distribute—

Mr. Haggerty: In other words, this should be under miscellaneous appropriations. It is a catch-all, is it?

Hon. Mr. Elgie: Catch-all? No. Those are funds set aside in the event that they are—

Mr. Haggerty: But Dr. van Beinum says he can move them from one expenditure to another. I suppose if you have an overrun in one particular item, you can take it out of this fund and use it for that. That's the way I understood it.

Mr. Armstrong: If we are still on quality of working life, I should like to make one further short comment, again relating to the thrust of the program and the questioning of Mr. McClellan and Dr. Bounsall.

Among those participating in the event on October 15 was Bill Horner, who is the administrative assistant to Doug Fraser of the UAW. Not, I may say, Mr. McClellan, a social worker. Among the remarks Mr. Horner made—he is the successor to Irving Bluestone of the UAW, who is a pretty hard-nosed trade unionist and a pioneer in the United States in the quality of working life—he talked about the difficulty of persuading the membership they were talking about something real.

If I might just take a minute to quote from what he said at this conference. He is talking about the initial resistance of the workers to the concept. He said: "The people on the line say to

me, 'You know, I don't know what that fancy title is—quality of working life, employee involvement, job participation, blue collar blues, you name it—but if it means I am going to be treated better and differently, I will volunteer. I will put my name on the line because I want to be treated differently.' The guys who have a cautious mistrust of the leadership of the union say, 'It has to be a production gimmick,' or through insecurity, ask, 'If this thing works, where am I as a union representative?'

Then he goes on to say—and this is really what I wanted: "Through QWL we are going to give workers more freedom, a little bit more to say, some input into the decision-making process, a brand new world for workers. They never had those rights before. When I was hired, a worker in our plants was told to do everything. As in the Fred Taylor theory, break the task down to the smallest parts, tell them what to do and they will do it. They don't need any brains. What initiative do those workers have?"

He goes on to talk about what has happened in places like Tarrytown, where these things have been put into effect and where they have had measurable and empirical results for the nature of the things people are doing.

What I am saying to you is it is not some airy-fairy, sociological concept that has no application in the real world. If you are among the doubters, I suggest you talk to Bob White and Stewart Cooke and Cliff Pilkey. I extend an invitation to you to attend our next meeting to hear firsthand what these people think about it. These people are hard-nosed trade unionists. I say to you this thing has a future.

Mr. McClellan: I am not arguing against the concept of quality of working life, as you well know. I am simply asking a series of questions around what this particular quality of working life program is about and what your projects are about. I have indicated that I want to follow up with you, particularly in relation to the construction trades.

Mr. Haggerty: I still want to go back to that question. The deputy minister said \$664,000. I can find them in the occupational health and safety program. You have "Provincial lottery trust fund, Financial Administration Act." You have the estimate for 1980-81, \$1,628,000. The figures just don't seem to coincide.

Mr. Armstrong: I would be happy to pass over to you the breakdown of the quality of working life expenditure budget. That will show you how this \$664,600 is made up. I don't think you have that information broken down.

Mr. Haggerty: No. I don't have that.

Mr. Armstrong: I would be glad to pass that over to you and let you take a look at it.

Mr. Bounsall: Can I ask just one final question on this? Do you have a host of projects lined up that you are just waiting for sufficient staff to tackle, or should you have your staff surprisingly doubled, would you have to scratch to find other places in which to have projects?

Dr. van Beinum: At present we have about 10 discussions going with various companies and unions in various stages and levels of commitment and interest. It is very difficult to assess how those 10 will develop.

My guess is about two or three will emerge as real projects, and a real project is when union and management have taken a joint decision to go ahead, which is approved by the workers and so forth. We expect that two to three will fall out of the hopper, to use that metaphor. We can still cope with another two or three within the existing budget, we think. But if all 10 emerge as real possibilities, and that is a long-term objective of course, then we will send in the camel corps.

We Hope that, by means of our various collaborative relationships with people and institutions now in Parliament, we are making contributions towards increasing the knowhow of the resource persons in the province so other organizations will be able to respond and to come forward. But if we get 10 more projects we cannot cope.

4:30 p.m.

Mr. Bounsall: Based on its past very pro-management rights attitudes to virtually everything, I am interested in how you managed to get the Ford Motor Company of Canada interested enough to be one of the projects. Or was that one across the bargaining table?

Dr. van Beinum: I think there are a number of reasons. Both management and UAW realize, not only in Canada but in North America, in the United States, it is of real strategic importance to explore jointly, without denying the whole process of collective bargaining and the reality of the existing system, the possibilities for doing things differently by tapping the unused human resources in the company; in giving real opportunities for development of people; in looking at other opportunities for increasing the industrial relations scenario with collaborative relation with the union and management in addition to the conflict-resolution engagements; and that it is in the interest not only of the survival of the Ford company, and not only in the direct interest of workers, but in the long run it has

societal significance if we are going to survive as a parliamentary democracy.

Mr. Armstrong: Could I just add to that? In the case of Ford and the UAW, their 1979 collective agreement for the first time provided the following clause, "That the increased involvement of employees and management affecting their work holds promise for making work more satisfying and can contribute to improving the work place."

In other words, the UAW put on the bargaining table a quality of working life demand which succeeded for the first time and pursuant to that Ford Canada, to implement that commitment, in effect retained the services of a quality working life centre. A start is being made in the Oakville assembly plant and there are activities in Windsor as well.

I think I can add that Ford is not living in a vacuum; the fact that General Motors has some 88 successful quality of working life projects in their various enterprises around North America was, I am sure, an inducement as well and they are projects which are at various stages of development but which are paying off. There is a payoff to them for it. Let us not kid ourselves.

Mr. Bounsall: I am sure there is.

Mr. Warner: Decreased absenteeism.

Mr. Armstrong: The decreased absenteeism, higher productivity, decreased incidence of grievances and those things, and as well, those double payoffs. There is a payoff from the union. The agendas may not precisely coincide, but they are not at odds with one another.

Hon. Mr. Elgie: I do not want to prolong this but at Budd Automotive, as you know, there were some problems. Vic Pathe's preventive mediation program went in there. The president, in a speech the other day, reported that grievances had been reduced by 80 per cent and absenteeism was down 30 per cent.

So when people try to blame absenteeism on the individual worker, it is not the problem. The problem is the relationship in the work place, barring sickness and so forth. But I think there is good solid evidence that you are right.

Mr. Warner: Yes. There is a number of other factors as well. That is a large part of it.

Hon. Mr. Elgie: Sure.

Mr. Warner: I was very impressed with the doctor. I certainly agree in not hiring lawyers to work in your project.

Hon. Mr. Elgie: What about teachers?

Mr. Warner: That is a different story. But I just wondered if, from the studies, the projects you have under way, if you have collected any

hard data with respect to absenteeism or productivity et cetera, to show that from the beginning to the end of the project there has been either an increase in productivity or a decrease in absenteeism and so on.

Is there any hard data which could be made available to members of the assembly?

Dr. van Beinum: Not yet, because all the projects are in an early stage and they are starting now to collect data. It will be quite a while, I think, before anything of significance can be interpreted from the data. It will be at least a year, if not longer.

Mr. Warner: On that very point, I would appreciate from the minister, when that kind of data becomes available, if he would then ensure that interested members could obtain it. Because it is an extremely important aspect of work life in Ontario and the project sounds like a good one. But I would like to look at the figures as they come out of the program.

Mr. Wildman: I am just wondering when we are going to start one of these programs for the Legislature.

Mr. Chairman: Soon.

Hon. Mr. Elgie: You can ruin your own quality of working life. We cannot help you. You have to change parties to improve the overall quality.

Mr. Wildman: No, change the government.

Mr. Haggerty: I want to follow my original question about this year's grants to organizations for individual promotion of quality of working life. The deputy minister said there is \$664,000 and he is showing only \$53,400 in the estimates. So there is about \$611,000 which is not, in a sense, accounted for in the estimates as provided to each member.

The point I want some clarification on is management consulting services of \$42,000; what does that consist of?

Hon. Mr. Elgie: Mr. Webster, can you answer those questions?

Mr. Webster: Management consulting services would be the additional help that Dr. van Beinum wanted. This would be bringing in a consultant—and he can elaborate on this more than I—to help him with his project and in his work.

If I may, what you are looking at are the 1980-81 estimates of the industrial relations program. In program administration, item one, it shows \$1,034,600. The \$600,000-odd you are looking at there is part of that allocation. That will clarify the point for you.

Mr. Haggerty: But it is not broken down in an accounts classification.

Mr. Webster: No. It is broken down for internal purposes. What Mr. Armstrong showed you was our own budget established for Dr. van Beinum.

Mr. Haggerty: But that should be included in the document which was given to each member, if the members are going to get a clearcut picture of where the money is being spent. There is \$600,000, as I said, which is not accounted for. It is there some place.

Mr. Webster: It is there. It is included in that program—

Mr. Haggerty: As the doctor said, we have \$53,400 there, which is a catch-all; we are not spending it for anything. Now you tell me you go out and spend \$42,000 for management consulting services and yet from the questions before, there was sufficient staff there.

Next, you have \$230,000 for professional services. What is that for?

4:40 p.m.

Mr. Webster: These would be for the special consultants Dr. van Beinum has. He already has told you he hired contract people part time. They are self-employed people. They do not come under salaries and wages in our breakdown.

Mr. Haggerty: What do they do as consultants? What projects or studies are you looking at that the committee should be aware of?

Dr. van Beinum: All our consulting associates are involved in field projects. All of them are involved in our educational program, which is quite extensive. It ranges from—

Mr. Haggerty: But there is another vote for educational publications. I do not have the book before me.

Dr. van Beinum: No, it is not for education.

Mr. Haggerty: I thought it was for promotional and educational publications.

Dr. van Beinum: Perhaps I can clarify this. By education, we mean all kinds of seminars and workshops, which range from one-day introductory seminars to tailor-made learning events where, based on their needs as a result of the development in the project, we design with the people concerned in the field—management, unions and workers—specific workshops and other examples in between those two extremes, on ways—

Mr. Haggerty: But you have special funding for that. If I am not mistaken, there are two areas. I don't have my book here.

My question is, you have management consulting services of \$42,000, and then you have \$230,000 for professional services. What services are you buying?

Dr. van Beinum: I am buying the professional services of people who fall under the category of consulting associates, to assist with our field projects and to act as resource staff when we have educational events.

Mr. Haggerty: But you must have some projects in mind.

Dr. van Beinum: Sure.

Mr. Haggerty: The point is, what are they? What are you dealing with? Are you dealing with an area of occupational health, labour relations or what?

Dr. van Beinum: They are the actual field projects.

Mr. Haggerty: But what are they? Field projects can cover a big area.

Dr. van Beinum: Do you want me to give you the names of the companies?

Mr. Haggerty: Yes; that is what I want.

Dr. van Beinum: I am hesitating here because I feel that I really should have cleared with the clients, both the companies and unions involved, for permission to mention the names of the companies. We have six companies now, and we have discussions with more than 10 various unions and managements.

Mr. Haggerty: Surely this is not confidential, is it?

Mr. Bounsall: It is not something you are ashamed of surely.

Hon. Mr. Elgie: He is not saying that. He is just saying he does not want them to become the focus of attention from outside.

Dr. van Beinum: We try to keep a low profile here—

Mr. Armstrong: There is a problem, at least theoretically, with some of them not wanting to raise the expectations too high, not wanting to become the object of scrutiny by others at early stages. At Volvo in Sweden, they couldn't do any work because everyone was coming to look at them all the time.

To resolve this problem, Dr. van Beinum, I would think most of the six are firmly established now, having participated in a sufficient number of public events, that they would not have any objection to your providing Mr. Haggerty with the names of the companies and the unions involved.

Mr. Haggerty: Have you completed any projects?

Dr. van Beinum: No.

Mr. Haggerty: It is an ongoing expenditure for how long? How many years are you looking at?

Dr. van Beinum: I think all six asked me to go at least for one year. It is a long-term engagement.

Mr. Haggerty: It is a pretty broad field. I am trying to get something definite here about what areas we are looking at.

What are your studies? What is the intent of your studies?

Mr. Bounsall: We have been on that for the last hour.

Mr. Haggerty: Oh, no we haven't.

Mr. Armstrong: I do not exactly know what point we are at, but my very strong preference would be to make available to Mr. Haggerty, and to the other committee members, the names of the specific projects. If, Hans, you feel you want to check with them first of all, if you feel that—

Dr. van Beinum: If I have that opportunity, I would prefer that.

Mr. Armstrong: Before the estimates are over, we would come back to you with the specific companies and the specific unions.

Mr. Haggerty: Okay, fine.

Mr. Armstrong: There is one thing arising out of the Equifax matter in order to complete the record. Concern was expressed that the Workmen's Compensation Board, notwithstanding its undertakings to the contrary, might be providing information to that company, who would then divulge information which ought not to be disclosed.

I have not had a chance to look at it in detail, but I would like to say for the record that section 98 of the act, dealing with privileged information, says, "No officer of the board and no person authorized to make an inquiry under this part shall divulge or allow to be divulged, except in the performance of his duties or under the authority of the board, any information obtained by him, or that has come to his knowledge in connection with an inspection or inquiry under this part."

It goes on to say that "A person who contravenes the provisions of the subsection is guilty of an offence and punishable by fine."

My reading of that is that it would be a statutory offence for an officer of the board to make that information available to Equifax on any claim.

Vote 2402 agreed to.

On vote 2403, women's program:

Mr. Van Horne: Mr. Minister, on February 2 you made the statement, "Ontario Minister of Labour Elgie announces initiatives related to women's employment." I would like you to

elaborate on the content of that statement. I don't know whether you have a copy of it there or not.

You say, in part, "The government is committed to taking all reasonable steps to reduce this gap." The gap, of course, is the unacceptable wage gap between males and females based, at least in part, upon sex-related factors.

That seems to be the main thrust of it, although you also comment that recent activity within your ministry "indicates that there is considerable potential under existing provisions of the Employment Standards Act for narrowing this gap. That act now provides for equal pay for substantially the same kind of work performed in the same establishment," et cetera.

I find the thrust there contrasts somewhat with your Labour Day statements, in which I see no reference to women in the work force or anything related to women. I don't know whether that was just a little oversight or whether—I am looking at your Labour Day statement of August 29 of this same year—you really don't pay much heed to women in the work place.

Going back to my original question, perhaps you could indicate what has happened between February 27 and now as regards reducing this gap.

Hon. Mr. Elgie: The content of messages on Labour Day varies from year to year and from area to area, but I think I have been fairly outspoken in speeches I have made about the issues related to women in the work place.

In the February statement I indicated that the employment standards branch staff was being increased, I believe by some 10 people, whose sole job would be to respond more quickly to complaints in the area of equal pay for substantially the same work, and to carry out an increased number of audits.

During the period of August or September to October 1979, some pilot projects were carried out in the area of audits, and from that we came to believe there would be a lot of merit in pursuing this more actively. As a result, increased staff was allocated to the equal pay branch and they have been busy for the past year.

4:50 p.m.

I have Mr. Kelly and Mr. Scott here. Mr. Kelly has been directly in charge of the equal pay section.

Mr. Kelly, would you like to talk about what has been going on in the past six or seven months?

Mr. Kelly: In late March, we started organizing the equal pay section, which comprised officers spread throughout the province. We

had eight officers full time on the project and two officers who were working part time on regular employment standards and part time on equal pay for equal work cases. I am running the project, so that makes 11 people involved in investigations of equal pay for equal work.

Since April 1 of this year, we have completed a total of 110 investigations. We assessed \$50,000 prior to 1973 for payment in arrears for 122 people. There were some men involved in that as well. We have managed to arrange for 110 people to receive pay increases totalling \$61,145 since April 1 of this year.

We have at present five officers in Toronto, one in Hamilton, one in London, one in Sault Ste. Marie, one in Ottawa and one in Kitchener, who are involved in the program. I am based in Toronto.

Mr. B. Newman: None in Windsor?

Mr. Kelly: None in Windsor. We have an officer in London who covers the Windsor area.

Mr. Bounsall: It should be the other way around.

Mr. Van Horne: No, their priorities are right.

Mr. Kelly, the number of cases you have dealt with is impressive. Are you keeping a summary of these? If we wanted to inquire into specifics, do you have the activity that took place summarized and so on?

Mr. Kelly: We keep reports of every case we have investigated. I have a summary, from which I just read; I could make a copy for you. It shows the results of the program to date with comparisons to previous years as well.

Mr. Van Horne: As I recall from your statement there are two concerns. One is the concern over equal pay, and the other is the concern over opportunity.

In those 110 cases, how many were on that second theme, that of opportunity to be promoted or whatever into the same level of jobs as a male? Is it the equal pay branch of it—

Mr. Kelly: It is just the pay. Opportunity is separate.

Hon. Mr. Elgie: Mrs. Burak is prepared to talk about the government affirmative action program and Alison Roberts is here to talk about any questions you may have with regard to the women's bureau and the women's affirmative action consulting service.

Could you give them a breakdown of the audits that you do?

Mr. Kelly: Yes. We have received 181 claims since April 1 of this year, and we have completed 76 claim investigations. We have also done 34 what we call routine investigations.

These are where we have chosen companies without having a complaint filed with the ministry and we have done an audit of the company.

Also, I should mention that every time we receive a claim we conduct a full investigation of the company. We do not just limit ourselves to the one or the two or however many number of claimants, we do a full investigation at the same time. So in the 76 claim investigations we have done, we have also done full audits under equal pay. We have done this wherever practical.

Out of that number we found violations in 25 cases and, as I said, in arrears in pay; 122 people received arrears totalling \$50,573 and we arranged for annual increments, pay increases, in the amount of \$61,145 for 110 employees. Of course, this is ongoing, we still have a number of investigations, we still have a full case load.

We are finding several violations a month. The unit has been in operation now for six months and the officers are developing a fairly high level of expertise in this area.

Mr. Van Horne: Is there any one particular trade or industry or group of workers you investigate more than others, for example, a certain type of female labourer in a factory as opposed to office work or whatever? Can you categorize it as to one group appearing before you more often than any other?

Mr. Kelly: There is one group which appears before us more often than any other; that is the service industry and cleaning contractors, people involved in cleaning, but our investigations have covered every type of industry, white collar workers, management, insurance companies, factories, everything.

Mr. Van Horne: Do you find the staff you have is adequate or do you anticipate adding or putting a request in for additional staff?

Mr. Kelly: We are always looking for more people all the time. I guess Mr. Scott would be better able to answer that. Like anyone who is doing a job on a first supervisory level, you are always looking for more.

Mr. Scott: Briefly, Mr. Van Horne, we could do a more thorough job if we had more staff.

Mr. Van Horne: That is someone else's decision.

Mr. Scott: We ask; we do that regularly, I think.

Hon. Mr. Elgie: We have been reasonably successful in the past year or two in getting additions to staff.

Mr. Scott: Yes, we have a complement of 21; that could be broken down, I believe, into 13 field officers with eight of them specifically

directed for the equal pay team. Actually, we are using 10 on that team.

Mr. Van Horne: I was asking earlier just out of curiosity: if my numbers are correct you have added 190 people in your ministry. Is that your number? You gave me the sheets last week.

Mr. Armstrong: Yes, a total of 190.

Mr. Van Horne: In this instance are they broken down relatively evenly as far as male and female are concerned, or are they all female?

Mr. Scott: I can give you a breakdown of the field staff as to male and female. We have 84 actual officers in the field and, in supervision, approximately 20 more. That breaks down into 61 field officers who are male and 23 are female. 5 p.m.

Hon. Mr. Elgie: Of the equal pay staff that was added, what was the proportion there?

Mr. Scott: We are presently operating with five and five. Previously, we had six and four.

Hon. Mr. Elgie: Six what?

Mr. Scott: Six female. One of the female investigators asked to be removed.

Mr. Bounsall: Could I ask a supplementary on this? This is under employment standards and then I want to get to the women's vote. In the Employment Standards Act you have that limitation of \$4,000. In how many instances that you have successfully collected back pay did that \$4,000 limit you?

Mr. Kelly: It has not limited us in any case. We have had no problem, the \$4,000 has not limited us at all.

Mr. Bounsall: I can give you a case—not here on the floor—in which it certainly will. If it is successful, it will be a \$15,000 figure.

Mr. Kelly: Per person?

Mr. Bounsall: For the one person involved. That is a severe limitation in the act because if you seriously apply it to substantially the same pay situation in white collar upper management, that means something. I would think it would increasingly start turning up now in that area and that \$4,000 limitation in the act on back pay collection will be quite a severe limitation and that should be amended.

Hon. Mr. Elgie: Good point.

Mr. Bounsall: I have some questions of the women's crown employee office, Mr. Chairman.

Hon. Mr. Elgie: Does anyone else wish to ask more questions of Mr. Scott and Mr. Kelly?

Mr. Watson: Yes. How far back do you go in back wages?

Mr. Scott: Two years, up to the limit of \$4,000. We have the right to go back for a two-year period.

Mr. Bounsall: The case I was thinking of is \$15,000 a year. We will get it to you before the statutory two years run out.

One of the problems I have when the estimates come up at this time, when the crown employees are able to get out their annual report, is that we are talking to you just before you get out the annual report for the year ending the previous April each year, so it is somewhat difficult to deal with current figures in terms of what we have in hand.

Could I ask you for this past year ending in April, which you are about to report on, has there been much change over the previous year? With roughly 40 per cent of the classified staff being women, do 60 per cent of them still earn less than \$13,000 and three per cent of them even less than \$9,000 or \$10,000, and are only five per cent in the upper salary brackets? Are we still roughly in that pay situation?

Mrs. Burak: There has not been any major increase in the occupational shift of women; 53 per cent of the women we employ are still located in office services and clerical services. Therefore, yes, that is correct, there has not been any significant shift in their salary status. There have been slight increases, but—

Mr. Bounsall: But no significant switch in their status?

Mrs. Burak: That is right.

Mr. Bounsall: Has there been any change in the representation of women at the director level positions? There was a decrease in the last annual report compared to the previous year.

Mrs. Burak: That is right.

Mr. Bounsall: Has there been any increase?

Mrs. Burak: Yes, there has, in percentage. At the end of fiscal 1979-80, women were 6.6 per cent of program executives, which works out to 28 women and that is still the count as of today.

Mr. Bounsall: Would the average wage as a percentage of the average male salary still be around 72 per cent, or has there been a shift in that?

Mrs. Burak: There has been a slight improvement. Our very latest mid-year run, September 1980, shows the female average salary as 73.4 per cent of the male salary, so there has been a slight increase—certainly an increase since March 1979. It has been moving up.

Mr. Bounsall: Do you have that as a breakdown by ministry? Why I ask that is in the previous year you had four ministries in a particularly

disadvantageous situation; Energy was 43 per cent, Northern Affairs 51 per cent, Industry and Tourism 56 per cent only, as well as the Ministry of the Attorney General. Do you have the breakdown by ministry?

Mrs. Burak: I can give that to you. It probably has not shifted a great deal because in the ministries such as Energy, which are highly technical, the female staff clearly are in the support positions, and the men are in professional positions, I think; they have a total of 90 complement positions. They have a few women in professional occupations but the majority of the women are in support positions and those energy-related occupations are fairly highly classified.

Mr. Bounsall: Perhaps we will not take the time today to have you read them in, but I would like to receive those percentages.

Mrs. Burak: I can give them to you.

Mr. Bounsall: Energy is still in that position, in spite of a letter which Robert Welch wrote to my colleague, Mr. Mackenzie, on May 22 of this year from which one would have thought that the Ministry of Energy was making advances you would not believe. One is used to the way Robert Welch writes letters but even taking that into account, one would have thought that the advances in the last year were tremendous.

He indicated women in the professional and administrative modules in one year went from four to nine within the ministry. If one had just looked at that, one would have thought the Ministry of Energy had reversed itself over night, almost; but it is still a continuing problem.

Mrs. Burak: I do not have their 1979-80 ministry chapter, I only have the corporate data and a one-liner which tells me what their wage gap is. That is, in fact, true; they only have 90 positions in total and from what we can tell they certainly appear to be making a very good effort to get more women into their professional positions. In fact, they recently contacted me to ask for my personal help in seeking out qualified women for a newly created position. I do not think they interviewed any men, I think they only interviewed women.

Mr. Mackenzie: Is that to make up for the letter here or to get some action quickly after having sent me the letter?

Mrs. Burak: I was not aware of the letter. I am just trying to give you one instance of where they made a very strong effort to get some more women.

Mr. Bounsall: It would be interesting to get whatever figures we can—the breakdown, min-

istry by ministry. I assume there are some ministries in which the program is working better, not anything to do with the particular women's advisory within the ministry, not anything to do with their efforts or their capabilities, there are some ministries that are simply tougher than others to deal with in order to achieve the ends that your division is trying to achieve. So some ministry by ministry figures would be interesting.

One thing is intriguing me—that is again out of the last report and those figures may have changed now. In the last annual report in the area of ministry staff training and development you had only 29,000-odd men involved in that staff training and 44,700 women, so if you are encouraging affirmative action in the ministries that sounds very hopeful.

5:10 p.m.

Then you get to the money spent and there was almost as much money spent on staff training for men as for women. If put on a per capita basis there was an average of \$79 and some cents spent on the men's training and about \$27 on the women's training. This suggests that although there were a lot more women involved, they must have had much shorter term training—or, at least, not very much travel involved to get to the training, as that figure includes travel expenses—relative to the length of course in staff training development being given to men.

Mrs. Burak: Yes, it is true that during most of the last fiscal years, the dollar amount spent on men was greater than that spent on women. I would like to give you a couple of reasons for that. You mentioned one in particular—travel.

It is true, and I think it is probably as a result of the affirmative action program, that a great deal of special inhouse training is being given to women through the affirmative action program offices or in conjunction with the personnel branches, whereas males are probably being sent on external courses. We are running courses where we do not allow men in. We are running them for women inhouse so we can channel a lot of people through.

The second factor for the difference in the dollars spent is related to occupations and the amount of staff training dollars spent by managers for nondevelopmental courses required to get people to do their current job better, whereas we are pushing developmental courses. Since the bulk of our women are in office and clerical services, we are essentially starting with assertiveness training, career development and getting into management, that sort of course. They tend to be less costly.

In 1979-80, and from then on, in co-operation with the Civil Service Commission we revised our joint data collection system to require ministries to indicate for the office services group what kind of courses they are taking. We were suspicious and wanted to stop any business of the women in office services not getting management training or professional and technical courses. Individually, the women's advisers are looking at that and trying to change that training.

Mr. Bounsall: You had suspicions, you are looking at it, and you are having the women's advisers monitor this situation and you are trying to reverse it. How are you coming?

Mrs. Burak: It is actually getting better. It appears from that first year's data that a higher number of women are taking managerial and fewer communications courses.

Mr. Bounsall: So there is some headway.

Mrs. Burak: I believe so.

Mr. Bounsall: Equally, with all of the ministries?

Mrs. Burak: I cannot tell you that off the top of my head. I can get it to you if you would like.

Mr. Bounsall: I am interested in the affirmative action incentive fund which came in at \$270,000 in addition to the regular ministry budgets. Individual targets were to be required of each ministry, based on the statistical data you already had or were building up. Can you indicate what targets each ministry had?

Mrs. Burak: I can either give that to you or read them off. I have the individual ministry targets with me. You were given a total.

Mr. Bounsall: I would be interested in having that in the record.

Mrs. Burak: Okay. If I might just make one explanatory comment for the record, the methodology we devised for targets is based on projected vacancies and projections or estimates of the number of women available to compete for positions. We are talking about planning targets and I preface this by saying I am quite confident we will exceed the total number of targets set.

The Ministry of Agriculture and Food, two; Attorney General, two; Civil Service Commission, one; Community and Social Services, 17; Consumer and Commercial Relations, six; Correctional Services, 98; Culture and Recreation, eight; ministries of Education and Colleges and Universities, four; Ministry of Energy, none at the beginning of the year because of low turnover, but they have since met a position in an underrepresented class.

If they had known they were going to get that

vacancy they would probably have targeted, but they had no idea they were going to get a vacancy.

Mr. Bounsall: They were a bit above target, then.

Mrs. Burak: Right. They are ahead of schedule.

Ministry of the Environment, nine; Government Services, 14; Health, 19; Industry and Tourism, no targeted positions but, from informal information, they have made at least 12 or 15 hires into underrepresented classes. They had some vacancies they did not anticipate; they did not target, so they have made some gains.

Ministry of Intergovernmental Affairs, again no targets, they had no projected vacancies and have had none so far; Labour, six; management board secretariat, three; Natural Resources, 25; Northern Affairs, two; Revenue, 34; Solicitor General, 26; Transportation and Communications, 21; Treasury and Economics, one.

Mr. Bounsall: What most affects these target numbers? Is it as much the staff which would be available to fill them from within as it is vacancies? I can see in the Ministry of Energy they did not have any vacancies so that would affect it. Generally speaking, in many of the ministries, is it the number of women who could be advanced internally?

Mrs. Burak: It is actually both.

Mr. Bounsall: I know it would be a mix of both.

Mrs. Burak: It is not really one or the other; I think it is almost equally both.

Mr. Bounsall: So it would vary with each ministry. Correctional Services is very high; is that because they predict an awful lot of vacancies or expansion relative to the number of women?

Mrs. Burak: They have a consistently high turnover in the correctional officer positions. In other areas, they have a very low turnover.

If I could just explain further what we are doing with the targets, we have made the ministry's target down to class levels where women are less than 30 per cent. We have not said, "How many financial officers in total can you get this year?" We have said, "How many financial officers 5' can you get if you have fewer than 30 per cent women?"

They have to be much more specific so the classes for which they are targeting are the toughest areas to crack. It is a combination of either low turnover or nontraditional jobs where there is truly a scarcity of women or a limited number of women who apply.

Mr. Bounsall: There was to be a six-month assessment on the success of the program?

Mrs. Burak: No. If you are referring to the directive, we prepare for management board and then for cabinet a report on how the ministries are doing at the six-month period.

Mr. Bounsall: That will have been in by now.

Mrs. Burak: Yes.

Mr. Bounsall: Do you have comments on how the various ministries are doing?

Mrs. Burak: Corporately, 50 per cent of the 304 targets have been met. Some of the ministries I mentioned in going down the list increased their number of targets and a couple of ministries decreased their targets because they did not get the vacancies they had projected as people did not leave, or there was not the movement they thought they would have. We are bang on at 50 per cent and I will repeat, I am confident we will exceed that total figure by the end of the fiscal year.

Mr. Bounsall: Could I ask how the incentive fund is growing? It was to provide fill-in human resources so the female staff could go on career development programs, on-the-job training, and job rotation, et cetera. How much of the \$270,000 is gone now at the two thirds mark of the year?

Mrs. Burak: Let me explain that. The fund works as a contingency. At the start of the fiscal year, we allocate to the ministries their share of that \$270,000. It is based on criteria.

5:20 p.m.

Mr. Bounsall: Is it based on their need to have more women added to their ministry? How are the funds allocated?

Mrs. Burak: We allocate the \$270,000 on the basis of the ministry's ratio of female public service employment, so, right off the bat, Health and Community and Social Services, because between them they employ 40 per cent of the women, get 40 per cent of that \$270,000.

Mr. Bounsall: So it is based on the women already employed within their ministry.

Mrs. Burak: Right. And it goes on from there. At the beginning of the year we give them approval to go ahead and spend. Essentially what we are doing is giving them approval to spend on a contingency basis in excess of their estimates. And then, if they require the money at the end of the year, they can request a management board order and offset it with our fund. That is how it works.

Mr. Bounsall: Has it been used?

Mrs. Burak: Oh, yes.

Mr. Bounsall: We are almost two thirds of the

way through the year; are we two thirds of the way through the fund? Are some of them screaming they could use a lot more, above their allocation?

Mrs. Burak: Some ministries have already put the women through the training on the money coming out of the fund. Others are in process now. Certainly every training initiative to be spent against the fund will be completed by, probably, February. So it has gone and it is under way and operating.

Mr. Bounsall: Are the ministries telling you and the women's advisers within their ministry that they could use more money for that? Or are there some ministries which have not been saying that or are not using their allocation?

Mrs. Burak: What we have asked everyone to do for fiscal 1981-82 is to give us a better idea of their demand, how much more they could spend, so we can ask for additional dollars for this purpose. They will submit precisely how much they think they can spend in the next fiscal year, based on their experience this year, with their next year's plans.

Mr. Bounsall: Training courses will vary and on-the-job training and job rotation will vary with the particular job and person, but how many women was this fund envisaged to be helping in this particular year?

Mrs. Burak: We left it up to each ministry to decide how they could best spend the money given that the objective is to raise and diversify occupational distribution. So we had a very difficult time explaining to management board what our projection would be. It turns out that this \$270,000 will be spent on 52 women.

Mr. Bounsall: Fifty-two women in total.

Mrs. Burak: Right. But I would like to point out that is not the extent of all of the accelerated career development initiatives the ministries are undertaking. That is only a small portion of the total activity in secondments and job rotations.

Mr. Bounsall: In other words, they will presumably be charging another part of their—

Mrs. Burak: They will be finding that within their existing allocation.

Mr. Bounsall: So the figure of 52 women will be larger than that because they will be taking it out of their other allocations.

Mrs. Burak: Right.

Mr. Bounsall: Are there some ministries already over their allocations and into their separate allocations?

Mrs. Burak: At the beginning of the year we required that everyone do a certain amount of

accelerated career development based on how many women they had. Their plans would not be approved unless they met a certain ratio. It works out to between two and four per cent of their female staff. Some ministries, at least this year, have the ability to do more than others. That may change next year.

Mr. Bounsall: Do you know from the training that has taken place among this 52; have they been able to acquire a different job classification as a result of this effort of training?

Mrs. Burak: The only way we can prove that is we have worked into our system that at the end of the fiscal year we will do a survey of those 52 to find out, first, if they have been interviewed for jobs in under-represented classes they were supposed to be getting training for, and then, in year two, have the first 52 got jobs or not and so on.

So there is a control on it. But I do not know what that is today.

Mr. Bounsall: You cannot report on that today? You will be waiting until the end of the fiscal year to make the survey?

Mrs. Burak: Yes.

Mr. Bounsall: I have a copy of the guideline which is in use among the ministries, Guide to Affirmative Action 1980-81 Hire-Promotion Targeting. I have a couple of questions on that of a rather technical nature.

The guideline mentioned that there is a report, Participation Rates for Women in Occupations and Education Specialties in Ontario and Canada, as catalogued by the women crown employees office, which had been devised, or would be, by September.

Mrs. Burak: That's right; I have it here. Essentially, we received special data from the Ministry of Colleges and Universities so we could have a more definitive breakdown of the number of women graduates in various disciplines. We have also collated census data in a way that would make it easy for the women's advisers to determine labour force availabilities where they were targeting for new hires. It is a two-inch binder of data on the work force and the community college and university graduates by discipline.

Mr. Bounsall: I notice in a publication of the ministry it is something the ministry got in order to assist their own work. I assume that is the category it is in. Would that be available for interested persons to look at?

Mrs. Burak: Yes, of course.

Mr. Bounsall: There is one part of that guide to affirmative action that intrigued me. There is

a category called Other Availability Determinations. How was that used in determining availability?

Mrs. Burak: It is terribly bureaucratic, I admit. What we have tried to do, so we know precisely whether people are giving us real availability figures or not, is to have them define, as the guide shows, where they are targeting for financial officers 4, if they think they can use the class level directly below—financial officers 3—and so on.

We put in the other category, which actually requires a fairly complex proration of all the other categories, so that if we were targeting for a financial officer 3, and ministry X, in its experience, knows it sometimes gets people from inside the government for those jobs as well as from outside, we have given them a calculation to prorate the number of women who are inside and the number of women who are outside. Then they have to put that combined figure in the other column. It is another refinement on the original process, so we can capture the two.

Mr. Bounsall: My reaction was that it was the category that may recognize that women are interested in positions but do not have the easily recognizable skills.

Mrs. Burak: No, that's not the case. We are simply trying to determine availabilities there.

Mr. Bounsall: Generally I have no problem with figures in terms of seeing how they relate or how they are calculated, but I had a bit of a reaction to the tables and charts that were required in this sort of survey and calculation. How much of a bureaucratic nightmare is it?

Mrs. Burak: To some of the staff who have to put it together, I suppose it is one. But I have argued and I would argue now that it is the only way we, as the agency charged with monitoring, can truly say whether ministry X is targeting high enough, or is getting itself into trouble in targeting unrealistically high. It is a painful exercise to go through, but I think we need it.

5:30 p.m.

Mr. Bounsall: It certainly has a potential for accuracy and for measuring exactly what you have said. Will you be reporting on that?

Mrs. Burak: Yes. We will be changing the format of the annual report and the stock profiles you now see, which show salary and occupational distribution, at the end of the fiscal year. We will add to that and show how much was possible: "This is how much was accomplished. This is the stock profile, but this is how much is possible, given turnover and the numbers of women who applied."

Mr. Bounsall: Who is actually undertaking the calculations for each ministry?

Mrs. Burak: The affirmative action staff. We doublecheck it when it comes in.

Mr. Bounsall: I am not trying to overstress the difficulty of this, but another reaction I had, thinking that these were the people who would be involved in doing it, was whether they have time for anything else.

Mrs. Burak: This year, the first time around, it was a very painful process. But for 1981-82, we were able to redo the first half of the calculation, the vacancy projection, on word processing, so they had that already done. The only thing they had to fill out was the availabilities determination. There is simply no other way than to have the ministry do that because they know where they hire people from.

It is done in a short period of time, and they will not have to do it again for another year. I hope we will have more of it computerized next year.

Mr. Bounsall: Once you have it in place, it will not be very time consuming in subsequent years.

Mrs. Burak: That is right.

Mr. Bounsall: Will the change be reflected in the annual report that is coming out, or do we wait another year for it?

Mrs. Burak: I am afraid it will be fiscal 1980-81. It will not be for the one coming out in a few weeks. This just came into effect recently.

Mr. Bounsall: Right. Well, we may have to wait till then.

One final question of interest in this area: are there observable differences in attitude between ministries? Do you have some affirmative action officers in ministries that are known to you to be problem ministries? I don't mean just on a background basis, in terms of technical training for a particular job in a ministry, but ministries that still have what you might call attitudinal problems?

Mrs. Burak: I would not say a ministry as a whole. I have to go back to what you said. The nature of some ministries does make it more difficult, and you cannot get around that. On the other hand, even in ministries which are primarily white collar, where you might not expect resistance on the part of managers, the women advisers do face it.

But I would not say there is any one ministry.

Mr. Bounsall: But you tell of an area, in whatever ministry it is, where you are running into more problems in the white-collar area.

Mrs. Burak: No, I didn't say that. I said that

just as there are difficulties in technical ministries, so too there are managers—not every manager, but a manager here or there—in a white-collar area who has the same attitudinal problems that others do.

Mr. Bounsall: You placed 14 students this summer in the ministries. What did they actually accomplish? I don't mean so much what were they doing, but what they accomplished as a result of their activities.

Mrs. Burak: Do you mean personally, or what they accomplished in the program?

Mr. Bounsall: You had 14 students there for the summer and they then departed. What can you say they accomplished after they departed?

Mrs. Burak: Their projects varied. Everyone finished the project she was given. Some of them worked on refinements to the data base in the woman's adviser's office. Others worked on developing career paths for jobs peculiar to a ministry. Others were involved in writing up newsletters on affirmative action and on a variety of things.

They all accomplished the projects they had set out to do at the beginning of the summer. They were quite helpful.

Mr. Bounsall: They were quite helpful to the whole effort.

Mrs. Burak: Yes. It is very good for them, of course, to work in affirmative action.

Mr. Bounsall: Could you use more?

Mrs. Burak: We are surveying the women's advisers for their needs for next summer. I don't have the tally back yet. But if they feel they need more, we would certainly make a pitch to get more students.

Mr. Bounsall: Those are all the questions I have of the women's crown employees office, but I have some for the women's bureau.

Mr. Chairman: Are we taking this vote item by item? I did not sort that out.

Mr. Rowe: I thought you were doing them altogether.

Mr. Chairman: That is what I understood.

Mr. Bounsall: You have to switch the personnel at the table. While we are waiting for them, could I ask the minister how we are doing in the search for a director of the women's bureau?

Hon. Mr. Elgie: We have advertised. I will have to ask if we are interviewing yet.

Mr. Armstrong: The applications, over 100 of them, are in and are on my desk. The interviews have not yet started. We are in the process of short-listing that number.

Mr. Bounsall: Do you have an idea of the length of your short list?

Mr. Armstrong: It looks like about 25.

Mr. Bounsall: When might we expect an appointment? That is a big job. You are short-listing possibly to 25. Then the interviews would start.

Mr. Armstrong: Then the interviews will start. I think we are looking at another couple of months.

Mr. Van Horne: Could I interrupt for a moment and ask about the timing, Mr. Chairman? I know you are anxious to get this vote done and as much else as is possible, but the numbers are dwindling, partially because there is a commitment from a fair number of people here to attend an event with the miners. I do not know how many of you fellows are going. Is that a problem?

Mr. Chairman: Yes. We had anticipated that we would go to six o'clock. I think that was the understanding, Mr. Van Horne. I believe that the reception at the Royal York, with respect to the miners, runs from four to six, with dinner at 6:30. I am committed to go to that, and I had anticipated leaving here about 6:15 and arriving at 6:30 at the Royal York. I don't think that is a particular problem.

Mr. Watson: The information I had was that the reception was from six to 6:30. We had better leave 15 minutes earlier.

Mr. Bounsall: I would like to ask the acting director about the calls that come into the women's bureau over the course of the year on pregnancy leave, change of name, unjust dismissal and so on.

Do you have within the bureau the expertise to deal with the problems you get the most calls on, whether it be equal pay, sexual harassment, discrimination or whatever—or do you find yourself acting more as a referral service?

Ms. Roberts: We do both. We answer questions when we do have the expertise, but often the calls do require a referral to employment standards or to human rights. There would be legal action and involvement.

Mr. Bounsall: In individual cases, you determine that and then see that they get to the right ministry.

Ms. Roberts: Yes.

Mr. Bounsall: Do you do any follow up on that?

Ms. Roberts: It would depend totally on the case whether that was necessary. On most cases we refer, the individual may call us back, but often they simply go off and are looked after. If

they are not looked after, they will come back to us.

5:40 p.m.

Mr. Bounsall: Because change of name was mentioned in the write-up in the ministry booklet as a reason for your getting calls, what do you get called on as regards changes of name?

Ms. Roberts: Women who prefer to keep the name they are born with. When they are married they prefer to keep that name rather than to take a husband's name; they want to know whether or not that is legal; what procedure is used; and what will happen to their children's names. It is that kind of approach.

Mr. Bounsall: Would you be the appropriate branch of the government, if a particular area office of immigration required a woman to get a letter from the Ontario government indicating that it was okay to use her maiden name as the name under which to immigrate rather than her married name? Would it be your branch we would phone to say, "Please provide that letter"?

Ms. Roberts: Yes. I would think possibly, although that might belong to the Ministry of the Attorney General, as well, if she needed it for some legal procedure.

Mr. Bounsall: They would not write the letter.

Ms. Roberts: No, in that case the call would come to us and we would follow it up.

Mr. Bounsall: That case arose just a few weeks ago and that seemed to be the easiest solution, rather than finding three pieces of data from Ontario in her maiden name, or getting a letter from the government of Ontario saying it would be okay for her to receive her—not immigration—Canadian citizenship under her maiden name.

A few calls, although I did not call the women's bureau, did not produce anyone willing to write a letter and it was solved in another way. The person in charge of the Ontario offices for citizenship is a woman who said, "I will just telephone the local citizenship court and tell them it is okay." This turned out to be the quickest and easiest way, should it arise again.

If that request is made of you, would you have any difficulty writing that letter?

Ms. Roberts: No, I would not have difficulty writing the letter as long as I had complete confidence that it was based on the fact and the law.

Mr. Bounsall: The reason you have to get the letter from Ontario, to satisfy the Canadian government, is that the Change of Name Act is an Ontario act. The citizenship court did not

want to accept a married woman, with her name changed upon marriage, becoming a Canadian citizen under her maiden name unless Ontario approved of that. They said, "Just give us a letter," as one of the requirements. It was bureaucratic but "Just hand us a letter and we will deal with it."

As it worked out, I have indicated it did not need a letter, finally when the person in charge telephoned the appropriate office. If the request was that simple, the women's bureau could write the letter.

Ms. Roberts: I presume so. Again, I would probably get legal assistance and check it out. If that were going to be a valid letter, yes, I would.

Mr. Bounsall: Who would you ask?

Ms. Roberts: I would probably check with our own legal department or, again, I would go through the Attorney General's office. But I would make the appropriate inquiries until I knew precisely what I was able to do to assist that person. That is our general procedure.

Mr. Bounsall: One of the initiatives the women's bureau had this year was to conduct and analyse a survey of women in trades training. What have you found so far?

Ms. Roberts: At this point, we are still assessing the responses and a report has not been produced. But we are certainly anxious to find out because of what that is going to indicate to us and I do not have a report on that now.

Mr. Bounsall: It is not quantitative enough to report?

Ms. Roberts: It is not tabulated, no. They are still coming in. We are still receiving those answers.

Mr. Bounsall: This is one of the areas in which I would be interested in getting the hard data you find and the parameters of your survey. This seems to be one of problems in the entry of women into any kind of trades training, and certainly the nontraditional trades. Although I cannot get any hard figures on it yet, just some good educated guesses, yours would be a good enough survey that it would be more than an educated guess once it is tabulated.

Ms. Roberts: Yes. I would hope so. At the moment we are establishing a data base that will indicate the number of women in apprenticeship programs and trying to assess even those who are not involved in certified apprenticeship programs and who are in training in other directions too. We are trying to get some handle on just how many women in the province are involved.

Mr. Bounsall: Are you continuing to monitor

the status of domestic workers throughout Canada and the US?

Ms. Roberts: Yes.

Mr. Bounsall: Has there been any change in their status?

Ms. Roberts: No, not really. We do respond to requests and give assistance when we are able, providing information as we have it. The bureau has produced a study which is popular still, which simply lists studies that have been done and indicates legislation available.

Mr. Bounsall: There isn't any legislation in Ontario really that protects domestic workers for the right to organize and they are exempted from all the appropriate things under the Employment Standards Act—overtime pay, overtime hours, minimum wage and so on. Are you saying there are jurisdictions that have a minimum wage for domestic workers and specify hours of work?

Ms. Roberts: I believe Quebec has some legislation.

Mr. Bounsall: We in Ontario are second to Quebec in so many areas. Here is another one.

Hon. Mr. Elgie: Not in the information WCB gives to Equifax.

Mr. Bounsall: No, but in areas which really relate to the day-by-day existence of a person, Quebec is ahead of Ontario in so many areas.

Hon. Mr. Elgie: I do not agree with that.

Mr. Bounsall: It is certainly in termination pay—

Hon. Mr. Elgie: Oh, really?

Mr. Bounsall: That is right.

Hon. Mr. Elgie: You should read that termination pay provision very carefully before you say that, because it simply requires notice to be given to the minister. It has nothing to do with the amount of termination pay a person receives. I was under that misapprehension too for a long time.

Mr. Bounsall: Is the ministry considering covering domestics under the Employment Standards Act?

Hon. Mr. Elgie: It is under active review right now.

Mr. Warner: Who is reviewing it?

Mr. Bounsall: I think my colleague asked that two Labour estimates ago. There is one other area I would like to question on, the Advisory Council on Equal Opportunity for Women. How many meetings have they had in the last calendar year?

Ms. Roberts: Let me see. I guess we have had three in the last calendar year.

Mr. Bounsall: In the calendar year, three.

Ms. Roberts: That is right. We will have another one before the year is out. There will be four this calendar year. The council has agreed to meet quarterly, so that will fulfil our final quarter.

Mr. Mackenzie: If I can have a supplementary on this question of women approaching you, have you people tried to evaluate, in any way at all, the value to women of this close personal relationship which prevents us having them covered under employment standards?

Ms. Roberts: Are you referring now, Mr. Mackenzie, to the domestic workers?

Mr. Mackenzie: That is right. Yes.

Ms. Roberts: We have not undertaken a formal study of the value or otherwise with domestic workers. We simply respond to requests for assistance.

5:50 p.m.

Mr. Mackenzie: But you have not tried to put a price tag on this close personal relationship, which is one of the major reasons given for not enacting legislation?

Ms. Roberts: No, we have not done a formal cost analysis, that is not usually our function.

Mr. Bounsall: Would that be a reasonable function for you to carry out? Do you have the facilities and the people to carry out that study?

Ms. Roberts: At this point that is not on our list of new initiatives. We do have initiatives of every scope and in every direction but not that one. However, we are always ready to entertain necessary projects, of course.

Mr. Bounsall: You are continuing to monitor the situation of domestics, according to your report. You do have that part of it so it would not be unreasonable for you to extend that, be given a directive to make a survey in that area.

Mr. Mackenzie: I would think it has some validity, Mr. Minister. If this was one of the major reasons given for the lack of action, maybe we should take a look at just what this close personal relationship is worth to them.

Mr. Warner: It is an issue the government does not want to handle.

Mr. Mackenzie: That is the truth of it.

Hon. Mr. Elgie: Research has done some background material for us.

Mr. Wildman: They probably say it is invaluable.

Hon. Mr. Elgie: You really do have class, don't you? Real style. We have done research on that and I do not have the report with me.

Mr. Bounsall: Someone in the ministry other than the women's bureau?

Hon. Mr. Elgie: The research branch, yes.

Mr. Mackenzie: Could you file with us the research you've done then on the value of this close personal relationship?

Hon. Mr. Elgie: Are we studying the close personal relationship?

Mr. Bounsall: That is the reason always given as to why you cannot do it, why they should not be covered.

Mr. Ignatieff: The work research has done is related to the number of domestics, the kind of earnings, the conditions, et cetera. This work has been done over the past several years. I do not have specific results with me here, but I do not think it addressed the question you are raising.

Mr. Bounsall: That is not really research; you are just data collecting.

Mr. Ignatieff: That is a semantic point.

Mr. Bounsall: Let me ask you this: apart from the monitoring which the women's bureau does, have you done anything other than collecting the data on domestics?

Mr. Ignatieff: I guess it depends on how you define research and data collection.

Mr. Bounsall: I try to avoid the semantics. Have you done anything other than simply collect the data on what you mentioned: what they are paid, what their hours of work are, that sort of thing?

Mr. Ignatieff: No, we have not.

Mr. Warner: Could I have a supplementary on this aspect, because the situation which involves domestic servants is one that disturbs me rather deeply. People who are employed as domestics continue to be exploited in this province.

I would like to know what kind of a timetable the minister has to end the exploitation, what steps he intends to take. You are probably aware, as well as I am, there are people being paid \$90 a week, \$100 a week, to work five days of the week at more than eight hours a day, nine or 10 hours a day, being responsible for a list of responsibilities. This clearly should be unacceptable to the government. It is unacceptable to me and is unacceptable to society at large, I suspect.

Obviously, I understand if you intrude you are going to bruise the good feelings of a lot of rich folks; they will not like it if they have to pay decent wages to people, I understand that; but I want to know, first of all, what the government intends to do, and when it intends to do it, to end

the exploitation which these people have experienced far too long in this province.

Hon. Mr. Elgie: First of all, the suggestion that there is nothing now under the legislation is not a true one. Under the Employment Standards Act, the employment standards officers can and do collect wages owing and there are two or three other areas that are covered. What are they, do you recall them offhand?

Mr. Ignatieff: Pregnancy leave and vacation pay.

Hon. Mr. Elgie: What you are asking really is does the government intend to go beyond that, and I think I have answered that in the only way I can at the present time, David, and that is to tell you it is under very active consideration. I know you might like to be sitting in the cabinet room and all those things, and maybe that will happen one day.

Mr. Warner: Yes, and I look forward to sitting in a cabinet room and have you ask me these kinds of questions, at which time I expect to be able to give you at least a timetable of when these changes are going to be made. Are we looking at a year, two years, the fullness of time? What kind of timetable do you have? That is what I want to know.

Hon. Mr. Elgie: I think all I can do is reiterate what I have said, that it is under very active consideration at the moment.

Mr. Warner: I do not like that.

Mr. Wildman: I have a supplementary. A problem I just had raised with me today relates to this.

A woman doing work cleaning in a motel in my riding apparently gets paid on a piecework basis, she gets paid \$1.75 per room and I think it takes her half an hour for a room. Anyway, it works out she would get paid the minimum wage if it were on an hourly basis. However, she does not make enough to have contributions made to the unemployment insurance because of the number of hours and the length of time she is working and so on.

I am wondering if you think this is an acceptable way of paying a person. Apart from how much she is being paid, is this an acceptable way of paying an individual?

Hon. Mr. Elgie: Mr. Scott, can you comment on that?

Mr. Scott: I will have to find the information for you in regard to the UIC and what they must earn to qualify.

Mr. Wildman: I know she does not qualify—I do not want to go into great length with this—I

just wonder if that method of so much per room is really an acceptable way to pay a person.

Mr. Scott: I do not believe it is common, but I personally do not see anything wrong with it if the money they earn on an hourly basis is at least in excess of the minimum wage. It may not be a desirable level, but the fact is, if it is in excess, it is meeting the statutory requirements.

Mr. Wildman: Frankly, the only problem I have with it, other than the amount, is that it seems to me it is an attempt by the employer to avoid having to make any contributions to the unemployment insurance fund.

Mr. Chairman: It is an employment standards problem more than a women's bureau problem, Mr. Wildman.

Mr. Bounsall: I would like to go back just very quickly to the affirmative action program. A year ago the director informed us that the number of employers in the private sector in the province she felt were doing an effective job of affirmative action was about 10. That would have included companies that were doing it on their own initiative and not as a result of the advisory council efforts, companies like Warner-Lambert and so on.

What is the position now? How many companies in Ontario would the women's bureau say are doing an effective job of affirmative action or have a decent affirmative action program at the present?

Ms. Roberts: We have conducted a survey of over 300 employers with whom we have had contact since 1975 and asked those employers whether or not they were involved with affirmative action and whether they were involved on a formal or an informal basis. There were 136 responses to the questionnaire and of that 136, 65 indicated involvement and 21 of that number indicated involvement in a formal way.

This is the only real way we have to monitor aside from individual consultation and depending on what an employer will disclose. That is one formal measure of disclosure we have.

6 p.m.

We would say that of those we have seen, somewhere between 21 and 65 that we know about are involved in affirmative action. With the 21 we are increasingly stressing the need for employers to approach affirmative action through four major components and those were involved in the questionnaire to define the word "formal."

Those components involve senior level commitment, without which we know nothing will happen or little will happen. The second component would be the choice of a person to

monitor and conduct the program. The third would be accountability at all levels of supervision and the fourth would be the setting of targets and timetables. So those 21 have followed those criteria and could be termed as having an effective program.

That does not mean to say those are all because not all responded, but we can say we know of those. Perhaps if we could go in and assess some of the others, the other 40 odd, we would find that they were effective too.

Mr. Bounsall: But the ones that did not respond, is it your guess that they do not have it, or have not heard of the name even, rather than having an effective affirmative action program they just did not share with the women's bureau?

Ms. Roberts: I can make any number of assumptions as to why we did not receive anything back and that could be one of them.

Mr. Bounsall: Is that the most likely one?

Ms. Roberts: Yes, that is the most likely one, that they did not wish to share it; it does not mean they did not have a program. But I would assume that if they did they would be wanting to make that clear.

Mr. Bounsall: What is the women's bureau's attitude towards contract compliance?

Ms. Roberts: Contract compliance, of course,

is an option. It is something that is being studied and examined. It is one way of approaching one group of employers.

We certainly still want to stress the idea that the voluntary approach among those employers who are not involved with a governmental contract, would still be undertaken and that there would still be involvement at that level. That is absolutely necessary.

Mr. Bounsall: In the absence of legislated affirmative action, you would have to rely on the voluntary action to supplement the contract compliance.

Ms. Roberts: Yes, I do not know of any jurisdiction that has simply a requirement for across-the-board affirmative action, it is always dealt with through a contract in any other jurisdiction. Addressing that is one option, of course, that can be considered in terms of dealing with one group of employers, but it would preclude or make unnecessary the need for consistent and constant voluntary action.

Mr. Chairman: Dr. Bounsall, we are past six o'clock. Do you wish me to call the vote?

Vote 2403 agreed to.

Mr. Chairman: The committee will reconvene Monday next after routine proceedings.

The committee adjourned at 6:03 p.m.

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 Wildman, B. (Algoma NDP)

From the Ministry of Labour:

Armstrong, T. E., Deputy Minister
 Burak, R., Director, Women Crown Employees Office, Women's Programs
 Ignatieff, N., Assistant Deputy Minister, Program Analysis and Implementation
 Pathe, L. V., Assistant Deputy Minister, Industrial Relations
 Roberts, A., Acting Director, Women's Bureau, Women's Programs
 Scott, J. R., Director, Employment Standards
 van Beinum, Dr. H., Executive Director, Quality of Working Life Centre
 Webster, G. A., Director, Finance Branch



No. S-39

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Labour



Fourth Session, 31st Parliament

Monday, November 24, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

MONDAY, NOVEMBER 24, 1980

The committee met at 3:52 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF LABOUR

(continued)

Mr. Chairman: I will call the committee to order.

As the members know, we are dealing with vote 2404, occupational health and safety. It was suggested that perhaps Dr. Mustard could lead off. Is that acceptable to the members?

Hon. Mr. Elgie: Could I ask members about one particular issue? Tomorrow afternoon it may be necessary for me to be at a meeting from about 3:15 to 3:45. I wondered if the committee could proceed—

Mr. McClellan: Are you going to the Ontario Federation of Labour convention?

Hon. Mr. Elgie: No, I am not. I have not been invited to that.

I wondered if the committee could proceed with the deputy minister for a period of 15 minutes to half an hour, in my absence. Is that all right with members of the committee?

Mr. Chairman: Is that acceptable? We will be on the last vote I presume, or I hope, by that time.

Hon. Mr. Elgie: You agree to that; you won't be here, Mr. McClellan.

Mr. McClellan: That's right.

Mr. Chairman: Tomorrow, we are going to deal with the human rights commission program. So is that acceptable then?

Agreed.

Mr. McClellan: Before Dr. Mustard comes up, I had asked for a couple of pieces of background information in the last sitting I was at and I wondered if Mr. Armstrong might have them. Specifically, I wanted the work schedule for designated substances for the coming year so I would have a chance to go over them very quickly before we get into some discussion of them.

I am sure Dr. Mustard may want to touch upon the issue of the timetable for the development of designated hazardous substances in

relation to the guidelines laid down by the Advisory Council on Occupational Health and Occupational Safety.

Hon. Mr. Elgie: The deputy indicated last week that there would be some material provided about that.

Mr. Armstrong: Yes, there is. Actually, there are three or four documents. Perhaps, for this purpose, Mr. McClellan, we will give you the document which parallels the work plan that was introduced in evidence in the estimates last year, which was a two-page document. The first page is entitled, "Identification of Biological, Chemical and Physical Hazards," showing substances and agents for fiscal years 1980-81, 1981-82, 1982-83 and 1983-84. The second document is a rather longer listing of priority, "Biological, Chemical and Physical Hazards," without any indication of years on them.

Mr. McClellan: Thank you very much.

On vote 2404, occupational health and safety program:

Mr. Chairman: Do the members wish to question Dr. Mustard?

Do you have a statement, Dr. Mustard, or a few comments you would like to make?

Dr. Mustard: I guess I might try to explain what the advisory council is and tries to do.

As you know, it was established as an advisory council drawn from labour, management and the public—if I can use that term to describe those of us with no commitment to management or labour—to advise the minister on matters related to occupational health and safety. It was set up with a requirement that all this advice must be made public and we have encouraged the ministry to respond to our advice.

Now that we are into our third year, I would say the interesting thing is that the number of documents from the activity of the council is rather large, but, in effect, that has been fairly well done; the advice has been made public and the ministry has responded to the advice.

Today I received a document which, I am sure, the council will be pleased to see. It is a detailed response by the ministry of where it stands in its handling of the recommendations

the council has put forward. That is an important accomplishment of an advisory council working, in its way, in preparing advice to government and looking at the government's response.

On the whole, as chairman of the council, and I think this is true for the members of the council, I would say we have been pleased to see the interaction that exists between the council in its advice to the ministry, and its response.

The Acting Chairman (Mr. Rowe): Dr. Mustard is open to questioning by the members.

Mr. McClellan: Dr. Mustard, you may recall last year we had some discussion—I don't have the first of your annual reports—on the recommendation in the first annual report with respect to the process of developing regulatory controls over designated hazardous substances. We went through that in some detail. We expressed the thought that the council had done a good job in developing a very clear and precise set of, if you will, work schedules for the development of regulations around designated substances.

We expressed the hope—and I recall that you agreed—that the timetable set out in your report would be adhered to. It has not been, with respect to the first six designated substances. I refer to lead, mercury, noise, isocyanates, vinyl chloride, asbestos and silica. I believe I am correct in saying we are behind schedule on each and every one of those.

Is this a matter that has been before your council? If so, have you expressed any views with respect to the failure of the ministry to adhere to the timetable in its very first set of endeavours with respect to developing regulations for designated substances?

Dr. Mustard: The council has been kept fully informed as to where the ministry is in terms of its development of the formal regulations. Indeed, we have worked with the ministry to ensure that our part in the final stages does not act as a severe hindrance to the final completion of the process, because, when the final regulations are formulated, council has a responsibility to review them and the information that was submitted from external agencies about the draft regulations and to comment as to whether we think that information has been effectively looked at.

4 p.m.

The only thing I would say about the timing is they certainly are in process. We had scheduled our formal procedures of council to deal with these, I think, for the end of October. Actually, I warned our committee and told them all to be prepared for the documents when they arrived. But then we learned—and actually, as chairman

of council, we had this request from external bodies ourselves—that people needed more time to present their documentation.

Since this is an important process of openness, in which access to the documents the ministry has used and access to the material people submit are part of the process for all parties, it seemed sound and sensible in trying to get something which is highly acceptable and of high quality, that one provide the opportunity for the people outside who are making the submissions, to have more time. I believe the final closing date is now November 28.

Although it has been not as rapid as one might have optimally desired, considering the nature of a complex process I would think, on the whole, council so far is pleased with what has gone on, particularly with the opportunity for interaction by external groups with the draft regulations.

Mr. McClellan: Do you expect, from where you sit at least—and the ministry may be a little apprehensive about me asking Dr. Mustard first; I know the ministry wants to be able to respond because Mr. Armstrong indicated that at our last sitting and I assume we will be coming back to it from a ministry perspective—

Hon. Mr. Elgie: I thought you were going to miss us.

Mr. McClellan: No, I don't think I would.

But from where you sit, Dr. Mustard, is it your expectation that the next round of designated substances—and we have the 1980-81 list that starts: arsenic, chromium, benzene, et cetera—will be as far away from the time schedules laid down in your set of procedures as is the first group? In other words, are we simply dealing with the difficulties of start-up or is it a more serious problem than that?

Dr. Mustard: Generally, it is the difficulty of start-ups. If I can use an analogy, it is like the Hamilton Tiger-Cats football team; wait until you see them next year in terms of their level of improvement. I wouldn't want to use that as a benchmark, but I would certainly think one would expect on the next round to be more efficient than on this round.

Mr. McClellan: From where you sit, what were the precise difficulties that led to the delays in the first round?

Dr. Mustard: I cannot answer about all of them, but one of the delays is the problem of communicating in a system outside and being one of the outsiders who has to deal with things from the government—I know the problem of being a consumer of government material—and being able, then, to respond, even though there has been a lot of notification put out that things

were going to be done. The basic problem is just a question of getting people used to this kind of interaction.

It is extremely important that the time should be taken to do this well, because if it is, it does set a benchmark for the future. It is reasonable to expect the next round should go through considerably more rapidly than the first round has gone through.

I might say that the quality of some of the documentation I have seen submitted by external groups is extremely good. It is extremely beneficial to the system to have that.

Mr. McClellan: The kinds of time lines we are talking about are pretty extreme. We were told in these estimates last year that lead, mercury and noise would be gazetted in January 1980. We were told that vinyl chlorides and isocyanates would be gazetted in February 1980.

It was not just a question of a few days or even a few months. It was a long period of time before those actions were taken; if I am not mistaken, August. Is that correct, Mr. Minister?

Interjection: It was in July.

Dr. Mustard: I think I can say to you that when we met with the minister and his staff during that period of time, council members were not very kind to them. At least we encouraged them to get them out as well. In other words, I suppose you could say we were doing a certain amount of needling. But, on the other side, we also recognized the need to make sure the documentation material was properly prepared.

Mr. McClellan: This may be presumptuous, but I would hope to see in your third annual report, if those kinds of time delays continue, I would expect to see the issue dealt with by way of recommendation, or however you want to deal with it. But I would hope that when we get to the third annual report the council will address itself to a review of the way one of its first and very major recommendations has been actually implemented over the course of—by that time—two years.

Dr. Mustard: I'm glad you brought that up, because our scheme for the introduction to the third annual report is to review, as best we can, the preliminary step as part of the monitoring process, the application and introduction of Bill 70 into the system.

One of the things we will certainly comment on is deficiencies the council members perceive in different sectors and trying to cope with that. Certainly if the regulation process is deemed by members of council not to be proceeding efficiently, I have no doubt at all, knowing the nature of the members of the council, that will be commented on in our third annual report.

Mr. McClellan: Just one other question: At what stage does the council itself comment on the proposed regulations?

Dr. Mustard: It sees the final regulation and it will have all the documentation. It will see the ministry's documents which we already have, and it will also have access to all the information that has been presented by the external groups about the regulation. Its major concern will be to ensure that the ministry has paid attention to those external comments in setting its final regulation. If the council feels that has not been done, it will signal to the minister.

Mr. McClellan: Does the council, as a matter of routine, review the scientific literature that would be the basis of the first gazetting?

Dr. Mustard: Council would not normally go into the scientific detail. What we would be concerned about is recognizing certain points which would be directed about specific aspects of the regulation. Have they been taken into account in the consideration of the final regulation, and if they have not been taken into account, is there any explanation for it?

Mr. McClellan: Well, using asbestos as an example which is obviously going to be controversial; it has been gazetted for the second time, and there will be a series of submissions with respect to the adequacy of the standard that has been chosen. There will be major disputes as to the adequacy of the standard that has been chosen.

I am just trying to understand the process more than anything else. What will the role of the council be in that respect, where there is obviously a clear division of opinion, both sides pointing to fairly impressive scientific evidence; and the minister, as usual, sitting on the fence somewhere in between?

Dr. Mustard: I'm not quite certain how council will handle that one. I would not want to predict. It's a pretty interactive group of people. But I think in general principles, if the ministry had shifted the standard to a level which was far higher than any other jurisdiction was prepared to adopt because somebody argued for it, I suspect council would feel that an inappropriate response on the part of the ministry.

On the other side of the coin, if they went to some extreme in the other direction, and people felt it was an extreme in the other direction without adequate justification, I suppose someone would wish to comment in that respect.

I guess really that is going to be a typical one for the council, and I can't predict how it will respond on it. All I can say is, if the council members perceived the ministry's handling of

that was, by their judgement on the basis of the information provided, not really the best solution, they would comment.

I hope it will get through council. The warning you have given me is that we might have an interesting debate in the council about this matter.

Mr. McClellan: I'm sure you will. Just one other question: you have made some specific comments with respect to the noise standard. I assume that was at the request of the ministry.

Dr. Mustard: Yes.

Mr. McClellan: If I understand, that was before the noise standard had been gazetted.

Dr. Mustard: That's correct.

Mr. McClellan: In a case like that where the council has been asked for an opinion and the ministry has received its opinion and then proceeds to designate its standard, what do you see the role of the council being? I suppose I should preface that rather confused question with this one: is the recommendation you made substantially the same as the standard as gazetted with respect to noise?

4:10 p.m.

Dr. Mustard: No, they are different. One is at 90 and one is at 85.

Mr. McClellan: Which is a significant difference.

Dr. Mustard: It is.

Mr. McClellan: What do you see as the appropriate role of the council when there is that major discrepancy between your considered view of what the standard should be and the standard as gazetted?

Dr. Mustard: If the final regulation is at 85, I think the council would expect to see in the documentation from the ministry the reasons why, considering all the information given, they have chosen 85 versus 90. If the council feels the reasoning is really not satisfactory, they will so comment.

Mr. McClellan: At what stage in the process would you expect to see that? After it has been gazetted for the second time?

Dr. Mustard: No, we will see it in the final regulation.

Mr. McClellan: That's a little late then, is it not?

Dr. Mustard: Well, it still has not been approved by the government at this stage.

Mr. McClellan: But if you are not given an opportunity to respond until after it is gazetted for the third and final time—

Dr. Mustard: It won't be gazetted at that time, I don't think. In other words, the minister will be faced with this dilemma, if you take that as an example. If council feels the handling of the information, which will be public to everybody, has been inappropriate in setting the final regulation, it will tell the minister, in a formal advisory memorandum which will be public, that it cannot endorse the regulation. The minister then takes it whichever way he wants.

Mr. Riddell: Just a more general question: I had the opportunity to attend the miners' function the other night, and I sensed from talking to the industry people that there is general satisfaction with the occupational health and safety legislation, although I was surprised to hear there are industries where there are no committees set up at this time, and there are industries where there are committees, in which there is very little activity.

What did concern me was the fact, if indeed it is a fact—and I have to believe what the miners told me—they are having difficulty in getting people to step up to the foreman's position. They have asked very capable people, people who would be appropriate for the position, and they simply say thanks, but no thanks. The reason being, under the legislation as it presently exists they can be criminally charged—am I correct?

Hon. Mr. Elgie: Charged under the act?

Mr. Riddell: Charged under the act, whereby they are then in a position of hiring a lawyer to defend themselves in court and they are not going to go through that hassle.

I don't know whether there is any way, under the act, their fears could be allayed, but I am concerned when I hear them say there are capable, competent people who would be most appropriate for foremen's positions, who are saying, "No, we don't want it."

They tell me they are having difficulty getting good people to go into the foreman positions. If that is the case, is there something we can do to amend the legislation to allay these fears and to get these men and women to step up into these positions?

Dr. Mustard: I would not try to answer that question, but I would comment that our target in our third annual report is to begin a process of getting the council outside of Toronto and meeting with the two key constituencies, management and labour, about Bill 70 and any problems.

We hope to do this first of all with the pulp and paper industry and forest products. I hope that in these sessions the constituencies will bring these problems forward to us. I am not

sure we can do anything about them, but we certainly would like to bring them forward in our reports to indicate there are problems.

Of course, we may or may not decide to give some advice about some of these matters, but I think the specific answer to your question is really in the jurisdiction of the ministry and not the advisory council.

Hon. Mr. Elgie: Do you have the act handy? Outlining the duties of the supervisor; what's the process that would result in a supervisor being charged in the event it was felt he had not lived up to the responsibilities delegated to him under Bill 70?

Mr. Armstrong: The section of the act dealing with the duties of supervisors is section 16. I won't read it all, but: "The supervisor shall ensure that a worker works in a manner and with the protective devices, measures and the procedures required by this act and regulations, uses and wears equipment, protective devices and clothing that his employer requires to be used," and so on.

Now I want to be careful about this, but as you know, Mr. Riddell, this act is, in effect, a combination of the previous Industrial Safety Act, part IX of the Mining Act, and the Construction Health and Safety Act, and my impression is—I will turn to counsel for confirmation of this—but certainly the owner, and by implication therefore the supervisor, was always obliged to carry out duties similar to the ones that are now described in section 16.

So the first point I would make is, if there is reluctance on the part of employees to become supervisors, that is rather surprising, because the law in that respect has not changed materially. Indeed, it has become, in some senses, more favourable for employers, because now under section 37(2) it is a defence for the accused to prove that every precaution reasonable in the circumstances was taken, and that defence was not previously available under the predecessor legislation.

So while I have heard the same thing, it is an assertion that is a bit difficult to understand, having regard to the history of the legislation and the provisions now in the act.

Mr. Riddell: So you are saying you have heard the same complaint.

Mr. Armstrong: I have heard the same complaint.

Mr. Riddell: It is my understanding the reason this complaint has not yet been aired to you people is that there have been a number of charges laid, and the companies are going to see what happens as a result of the court cases before they will come to you people saying, "Look, we do have a problem."

Apparently quite a number of charges have been laid. The companies don't know whether it is their responsibility to pay to defend or to have that foreman defended, or whether it is the foreman's responsibility. There are so many loose ends and I suppose they are going to try the situation in the courts. If it then appears things are not going too well, there is going to have to be some change made in the legislation, because, they tell me these people are saying, "No, we will not step into a supervisory capacity," even with a substantial financial increase.

Hon. Mr. Elgie: That is very difficult to understand because, as has been pointed out, prior to Bill 70 there was a strict liability in which the defence of "all reasonable precautions" was not available. I find that very difficult to understand. And I find the owners' complaint even more difficult to understand because it is a long-standing principle of law that the employer is responsible for the actions of his employee, i.e. the supervisor, unless that supervisor acts beyond the scope of his authority. So I don't think there is any doubt that the owner is responsible for the actions of his supervisor.

Am I correct on that? It is a long-standing principle of law. I don't understand why people are saying that.

Mr. Riddell: If that is the case then I don't understand either why the people do not want to step into these more responsible positions.

Hon. Mr. Elgie: We have heard the complaint, but I frankly do not understand it. I mean that is a standard relationship in any work place; it has existed between an owner and a supervisor who is acting on his behalf, so long as he acts within the scope of his authority, and does not act in a negligent way.

4:20 p.m.

Mr. Lupusella: I have a question to raise. The Minister of Labour responded to the advisory council memorandum 79-V, dated February 20, 1980. It is on page 167. You prepared a response in relation to their analysis. I would like to quote part of your response.

"The ministry recognizes the importance of economic impact analyses and the contribution that they can make to government or decision making. They provide their elected representatives with data that is essential for understanding the full implications of the optional courses of action that are under consideration. The scope and complexity of the actual analyses must of necessity be directly related to the actual laws or regulations that have been developed. In some cases, extensive analysis may be required, due to the large number of

employers and the workers affected and the pervasiveness of the hazards to which workers may be exposed" and so on.

At the end you say, "As a result of that the ministry plans to prepare some form of economic impact analysis for all legislation and the regulations that are developed."

My question to the minister is, how do you plan to accomplish that? Do you have certain dates set up for preparing this economic impact analysis? When can we get a true response to that memorandum?

Hon. Mr. Elgie: The action to date on that response indicates that economic analysis is being undertaken relative to the proposed regulation of the seven substances published in August 1980. I don't have the exact details at hand. I might ask Mr. Heath, who is in charge of standards and programs, to review the nature of the economic analysis which is being undertaken relative to those substances.

Mr. Lupusella: Is this a report, or is it just a study within your ministry? That is what I don't understand.

Hon. Mr. Elgie: Let's ask Mr. Heath. Do you do this internally, or do you get external advice on it?

Mr. Heath: We have been working internally. The staff, internally, have been attempting to arrive at some form of economic impact.

Because of the manner in which the proposed regulations are now structured, and the incremental manner in which the regulations have been designed to be implemented, this is proving to be extremely difficult. However, we are attempting to assemble information on which workers are at risk and the organizations which are going to be affected and their size. We are trying to arrive at the costs of some of the controls that employers would be required to implement in effective control programs. We are still in the process of undertaking this, which we hope will give us some indication of impact.

In addition to that, we are receiving comments from the public at large and from employers who are demonstrating to us the difficulties and the economic consequences of implementing certain of the measures, and those are being analysed.

We have not embarked upon any of the extensive and somewhat expensive studies that have been undertaken in the United States on the economic impact of their regulations, which happen to be quite different in character, in the sense that they are very specific with respect to certain actions that must be taken. The analyses which have been done in the United States tend to relate to the specifics of regulations.

The proposed regulations we have are designed so that virtually every work place has its specific control program. In the case of noise, for example, it is very clear to employers that machinery has not been designed that will meet the requirements as to noise levels and they are bringing this to our attention. All this has been taken into account in the form of an analysis.

As to what the final economic impact analysis is going to look like, we are not certain at this time. But we are going to be able to say, "These are the dimensions of the problem from an economic point of view as we see it."

Mr. Lupusella: When this report is finalized, I am sure the minister will write a synopsis of your findings or, in a more expensive way, a report per se. Do you have a date set up as for the completion of such a study? When will it be ready?

Mr. Heath: We are working on those at the present time. We have a lot of input already from some organizations that have responded to the proposed regulations. The date has been extended, and we have not yet received all our briefs.

That data will be analysed as we analyse other comments. We have not actually set a specific date for when we are going to have that total analysis complete. It depends upon the dimensions and complexity of the response.

Mr. Lupusella: With respect, you extended the date, but you must have a clear idea when the study is going to be completed. If the period was extended, let's say for two or three months, it must be clear in your mind that this would mean a two-month or three-month extension.

Mr. Heath: On the basis of the information we are receiving now, we are hoping to have our analysis completed before the end of December.

Mr. Lupusella: Thank you for your remarks.

To the minister: when this report is completed, you will make it available to the public or to members of the Legislature, won't you?

Hon. Mr. Elgie: The background documents, which will contain the material we have prepared, will be available for review, as will the comments from the public—employers, workers' organizations and so on.

Mr. Lupusella: This leads me to believe that you are expecting a written submission at the end of December, and that some time in January or February, you are going to make this report public. Is that right?

Hon. Mr. Elgie: The proposed regulations will go to council for their review some time in January.

Mr. Lupusella: When will we be able to get this report?

Hon. Mr. Elgie: Council has set, as Mr. McClellan indicated, estimates of minimum time guidelines, but I believe that it has set for itself a 30-day period in which to respond to the material which is referred to them. That is correct, Dr. Mustard?

Dr. Mustard: That is correct. We would also expect to receive at that time all the information you are asking about. We would expect all the information which has been sent in, plus any other background material, to be public information. By the time it reaches council I would see no reason, if anyone wanted to look at it, why you could not look at it.

Mr. Lupusella: I still did not get an answer to my question about approximately when that is going to be. Is it going to be in February, March, April, next year; in two years' time; when?

Dr. Mustard: I have the council task group set to start work early in January.

Mr. McClellan: They are being a little more cagey this year.

Dr. Mustard: I don't know how tough Christmas is for processes within government. I only know how it is in my own institution and I cannot translate it over. But I think the council would be expecting to have the material in our hands somewhere around the middle of January.

4:30 p.m.

Mr. Lupusella: But, again, when are you expecting to finalize the work—in one month, two months, a year?

Dr. Mustard: Once we receive it, we will take less than 30 days.

Mr. Lupusella: So it will be around the middle of February—just to be a bit generous.

Mr. McClellan: The holdup is not at the advisory council, it is in the Ministry of Labour; as long as we are clear about that.

Hon. Mr. Elgie: What holdup?

Mr. McClellan: All of the holdups we have been talking about.

Mr. Lupusella: We are going to hold you responsible for any delay which takes place.

Hon. Mr. Elgie: I think you would anyway.

Mr. McClellan: There was one other very important matter I wanted to raise. It slipped my mind. That is the issue which, again, was

raised last year, Dr. Mustard, with respect to your recommendations for a ministerial program to deal with potential new chemical hazards.

You will recall that we were making reference to very strong recommendations contained in your first annual report in advisory memorandum 78-IV to the minister with respect to, among other things, pre-market testing of potentially new chemical hazards before they were introduced into the work place.

The problem we were looking at then was the ministry's reply to your memorandum 78-IV, which accepted your recommendations in principle, but stated—I am quoting from the final paragraph of the minister's letter of April 9, 1979, as I did last year: "I am concerned about a number of specific points and have therefore provided a commentary on all the recommendations in the context of the ministry's proposed plans. As the ministry's plans develop, I will be in a better position to discuss with the council the manner in which recommendations can be most effectively implemented."

We then had some discussion around what that meant. Dr. May provided the answer, which was that the ministry, at that point—December 1979—did not have an inventory of chemicals, period, so they were not in a position to know which chemical processes were old and which were new. We were assured by Dr. May that as soon as this inventory of chemicals had been prepared, the ministry would be in a position to move forward on your recommendation.

The time frame for the inventory given to us by Dr. May is mentioned on page R-1050 of Hansard, December 11, 1979. "Dr. May: We think we should have that reviewed and ready for use in about six months."

From where you sit, Dr. Mustard, can you bring us up to date on progress with respect to the implementation of that very essential recommendation, and advise us whether or not the inventory has been prepared; whether you have had further communications from the Ministry of Labour; and whether we are moving forward around the implementation of pre-market testing and the other things to which you addressed yourself in that memorandum?

Dr. Mustard: Yes. I can state that council was formally requested by the minister, early this year, to prepare some advice for the minister on what we thought would be the perfect method for doing this. Council has done that, and a letter, which I have just recently signed, contains council's advice on the strategy to develop an inventory.

Mr. McClellan: So a year later, we still do not

have an inventory and you have had to provide the ministry with a strategy for developing the inventory we were told last December would be available in six months.

Dr. Mustard: It is a formal proposal to establish an inventory very quickly.

Mr. McClellan: From where you sit, Dr. Mustard, do you know what went wrong, why the Ministry of Labour failed to develop the inventory? I suspect you, and certainly we, were expecting it would have been completed by late spring of 1980.

Dr. Mustard: No, I could not answer that question.

Mr. Armstrong: Do you want me to respond to that?

Mr. McClellan: Sure.

Mr. Armstrong: Mr. McClellan, there was, first of all, a question of the meaning and application of section 21(3), which I think you perhaps have before you, which defines what a new—

Mr. McClellan: No, I do not.

Mr. Armstrong: Do you have copy of that section there for Mr. McClellan? It says: "For the purposes of this section, new biological chemical agent or combination of such agents means any such agent or combination of such agents other than those used in one or more work places and included in an inventory compiled or adapted by the minister."

What is not clear is whether the purport of that section meant that the ministry was obliged to canvass the entire province to find out what substances were in use in work places and include those in an inventory to be published, as opposed to the adoption of a list prepared, for example, in another jurisdiction, the Environmental Protection Agency's list.

There was some disputation within the ministry as to the meaning of that subsection. Finally, an opinion was sought from Mr. Robinette, which I would be pleased to share with you, indicating that it was open to the ministry, on a fair reading of that language, to adopt an inventory from another jurisdiction and not go through the laborious and time-consuming process of compiling one's own inventory. That letter was delivered to us on September 29.

In the meantime—I think on September 10—the advisory council had been asked whether, assuming the legal propriety of doing this, in the council's view this would be an appropriate thing to do. As Dr. Mustard has said, the council considered the minister's request and replied to him by letter on November 24. We now have clearance from counsel as to the legal propriety

of doing that. We now have clearance from the advisory council as to the desirability of proceeding in this way. I can tell you we are now in a position to adopt and publish that inventory.

Mr. McClellan: And the inventory you are talking about using is the Environmental Protection Agency's inventory?

Mr. Armstrong: Exactly.

Mr. McClellan: But you knew that in December 1979.

Mr. Armstrong: No.

Mr. McClellan: With respect, that is what Dr. May said. If I can just remind you what Dr. May said in December—

Mr. Armstrong: I have it before me; I know what he said. But what I am telling you is that after that debate took place, there was a legitimate issue raised about the legal propriety of doing that in the light of the wording of section 21(3).

Mr. McClellan: When did you discover that you had a legal impediment?

Mr. Armstrong: We discovered we had a legal solution on September 29. We discovered a legal impediment between the time of that debate and September 29 of this year.

Mr. McClellan: I find that passing strange.

Mr. Armstrong: It may be passing strange to you. It is a difficult section to interpret.

Mr. McClellan: If I can state my perception of what has happened, it has taken you a year to find out it is possible to do what you wanted to do last December.

Mr. Armstrong: That is correct.

Mr. McClellan: Would you say that was a year well spent?

Mr. Armstrong: It was a very difficult legal proposition. There was considerable debate within the ministry as to the propriety of adopting an external list. We now know we can do that.

Mr. McClellan: Another interpretation is that the staff members of the occupational health branch were incapable of doing what they are required to do under this act. I really do not consider that—and I am addressing the minister, not you, Mr. Armstrong—I do not really consider that a very satisfactory explanation for such a major delay on such a major recommendation from the council.

Hon. Mr. Elgie: All I can say, Mr. Chairman, is that I recall hearing on several occasions about the dilemma the staff was having about the exact interpretation of that particular section

and a decision was finally made to get an outside legal opinion because it was a difficult point of law.

4:40 p.m.

Mr. McClellan: So all of a sudden, Mr. Robinette comes in—as is his wont to do, I gather; he did the same thing with respect to section 32(5) in the Workmen's Compensation Act—and renders his legal opinion, thereby solving all of the mystery. If it was so much of a mystery, why could he not have been brought in and commissioned to give an opinion in January of 1980 or in February of 1980, or March, April, May or June of 1980?

Hon. Mr. Elgie: I cannot recall the exact dates.

Mr. Armstrong: The letter from Mr. Robinette is September 29, 1980. I believe that was sought earlier in the month of September.

Mr. McClellan: The significance of all of this is that we have lost another year in this province with respect to our capacity to develop a system to screen out potentially hazardous chemical substances from the work place. I do not accept for a second that it is somehow a satisfactorily adequate explanation that you had to get the opinion of Mr. J. J. Robinette before you could proceed with this work.

Hon. Mr. Elgie: All I am telling you is that was the dilemma we were faced with and in order to act appropriately we sought an outside opinion.

Mr. McClellan: Again, I repeat the very unpleasant adjective that I used in the last sitting, that that is a risible explanation, utterly.

What is your current projection with respect to having an inventory in place so we can get back to square one, which is what we are still talking about? Square one is your response in April 1979 to Dr. Mustard's memorandum.

Before we can get to square one you have to have an inventory. Here we are, a year and a half later. Tell me now, when do you expect to have the inventory so that you can then respond to the recommendations made on April 9, 1979, by your advisory council?

Hon. Mr. Elgie: Dr. Robinson can speak to this, but the EPA inventory has been reviewed in the meantime. That time has not been lost. The inventory has been reviewed and, with some modifications already made, the inventory can be announced and promulgated virtually immediately.

Dr. May said it would take six months to review. That review proceeded and concurrently the legal question arose and was determined. Counsel's advice was sought, was received only

yesterday, and we are now in a position, almost immediately, to adopt the EPA inventory as modified.

Dr. Robinson: The only delay now is in the acquisition of a sufficient number of copies of the EPA inventory.

Mr. McClellan: Then what is the next step? Having cleared this great hurdle, what do we have to do to implement memorandum 78-IV?

Mr. Armstrong: The formal act of adoption can be done internally by the ministry, but as a matter of common sense it would seem to me it would be useful either to give notice of the adoption in the Gazette or to make broad circulation of the adoption to the interested parties in the community. I would think probably the former, the Gazette.

Mr. McClellan: Do I understand that the same procedures would apply as would apply to the gazetizing of the designated substance with respect to the—

Mr. Armstrong: No.

Mr. McClellan: To go back to Dr. Mustard, I will hope very much that in your third annual report you will deal with the question of the implementation of this particular recommendation.

Dr. Mustard: Yes, and as I indicated in my earlier comments, we have received from the ministry a document indicating where they stand with the recommendations from most of our advisory memoranda. I think you can be fairly comfortable that the council, because of its membership, will be taking its view and be putting comments on things as to how the movement might be desirable.

Mr. McClellan: I think, just to finish, the period of grace is over, Mr. Minister, and these kinds of absurd and ridiculous excuses simply do not wash with us, who are probably the least important actors in the piece; they certainly do not wash with the people who are affected by Bill 70 and who are depending on your ministry to implement things like section 21(2).

Hon. Mr. Elgie: I take exception to you saying the thing is absurd and ridiculous. Frankly, the review of the EPA documents was going on and was not delayed while the legal dilemma was discussed. When it became apparent—and believe me, it took several meetings—that it could not be easily resolved, we sought an outside opinion. I think we acted appropriately and I am prepared to say I take exception to what you said.

Mr. McClellan: We are talking of a delay of a

year and a half before you were in a position to respond to the memorandum. If you think that is efficient work, that is your problem.

Mr. Lupusella: If I were in your place, I would say, "Mea culpa, mea culpa."

Mr. Haggerty: We are dealing with what, the whole area?

Mr. Chairman: We are dealing with the entire vote, the occupational health and safety vote.

Mr. Haggerty: We can go any place we want to then?

Mr. Chairman: Within that vote.

Dr. Mustard: Do you need me any longer? Are you finished with the advisory council?

Mr. Chairman: Are there any other comments to be directed towards Dr. Mustard?

Mr. Van Horne: If I might, Mr. Chairman, I have just a question or two for my information and I am sure the committee would be interested too.

This is a very complete document and I do not profess to know everything that is in here; I have skimmed through it a few times. I am wondering if you might take a moment to elaborate on just a couple of points though, if you would, please. I am just picking these in the sequence in which they appear in the report.

First of all, on page 38 there is reference to small business and, because this appears to be a dilemma, I would like you to give us some indication of what you might see as a way out of the dilemma.

Dr. Mustard: The subject of small businesses I think is pretty substantially handled in the advisory memorandum which the task groups have prepared for council and council's discussion went through a very detailed process.

Mr. Van Horne: Having directed you to the page, let me take you to one sentence about the middle of the page. I am reading from the middle of page 38.

"In numerous meetings with accident prevention associations, trade associations and government agencies, council's task force on small business was told that small businessmen do not have sufficient time or personnel to specialize in a particular issue, such as occupational health and safety." That really is the nub of it, that is the dilemma.

As I said, I do not profess to have read every sentence in this; although I have skimmed through it. What is your solution to that dilemma?

Dr. Mustard: We have made a number of recommendations. One is for the safety associations themselves to become concerned with that problem and use their resources,

which, of course, is the whole industrial sector, to try to provide support for small businesses. Secondly, we put forward recommendations of information and awareness in the system, which we thought was important, and a set of specific recommendations under that. We looked at the question of management skills and training in the work force and have a set of recommendations under that which would help that particular area.

And then—and we are still working on this because it is not an easy one—some of these companies have cash flows which are not huge and therefore the question of the incentives and cost that come into picking up this kind of cost in that industry is not easy. We have a task group examining that and I hope they will be bringing forth some recommendations on it. Indeed, there is a set of recommendations, I believe, Mr. Minister, related to this that you have also referred to some of the other ministries, recommendations that go into this particular problem.

Hon. Mr. Elgie: There was a referral to the Ministry of Industry and Tourism—

Mr. Mustard: That is right.

Hon. Mr. Elgie:—asking them to amend their guide entitled, "Starting a small business in Ontario," and to draw attention in that guide to the Occupational Health and Safety Act for the information of small businesses.

4:50 p.m.

Dr. Mustard: That is right. For a person who has had to look at chairing an advisory council, and come in cold to look at it, it is a complex one. The information we have had from other jurisdictions is that they have difficulties as well in handling this.

I would think that the nature of Ontario and its constituent parts that take in the preventive aspects in the field are such that with the combination of suitable incentives, resource centres put in place in the province by the ministry, and the ministry's own staff and safety associations, we may be able to do a better job than other jurisdictions, perhaps, in relation to small businesses.

We are vitally interested in that area. We are keeping a very close watch on it, and we will keep working on it in terms of advice to the minister.

Mr. Van Horne: The owner or manager of a small business is one thing; the worker is something else. I am wondering what processes you are considering. I was thinking about something like a hot line for workers who work for a small business and are not union members. Has that been discussed?

Dr. Mustard: The problem has been discussed in that council. I got used to the term "labour" meaning "union," while in the broader sense it means nonunion as well, and the complexity of getting the dynamic among the organized sectors in the system versus the nonorganized.

I suggested to Mr. Pilkey that maybe the Ontario Federation of Labour should do a better job of organizing all labour throughout the system, but I received various comments about that suggestion. I say this facetiously in the debates, but it is a difficult one. The question the council has to try to look at is how you can ensure broadcasting the things you are talking about—information systems, hot lines, working through any kind of organization you can.

One of the impressive things as you go into this and look at the safety associations—it is impressive to me—is when you take an outfit like the Farm Safety Association Incorporated, in which management and labour are kind of intertwined because of the nature of farming; they have a network for getting information out to their people which is incredible. Indeed Peter Fisher, who is from farm safety, chaired this task force, and some of the ideas in our recommendations come from his experience with that organization.

The Forest Products Accident Prevention Association is also interested because there are a lot of small constituencies in it. They have been very effective in the chain-saw problems in the north, so effective—those of you who come from the north will know this—that they have had programs on television for hobbyists who use chain saws.

I guess what I am trying to say is that we flag the importance of the subject through suggested information systems, from the ministry and from the standpoint of the safety associations. We suggested going through business organizations to infiltrate that sector as well and, in addition, we are working on and trying to bring forward recommendations that would provide physical incentives to facilitate the establishing of effective programs by small businesses.

Mr. Van Horne: The second is a carryover from last year. I am simply going to ask for an update on the comments in here on the aluminum prophylaxis. Is there anything more to add from what is in this report?

Dr. Mustard: I would think aluminum prophylaxis does not occur in the system any more, but I must say, it has been an instructive exercise, in that I consider it to be an interesting public policy dilemma. I had thought that the food and drug officialdom in Ottawa would

protect us from compulsory treatment, in the sense that before I or anyone else could subject any one of my colleagues to a compulsory treatment with a chemical substance, it would have to be proved to be effective and without hazard.

National Health and Welfare in Ottawa took a long time to respond—the ministry can respond to this better than I can, I think—but I am told that their response, finally, is that indeed they do have that responsibility. Two weeks ago I had not heard that they had acknowledged that they understood that responsibility.

Mr. Van Horne: But in fact they do, and they will act accordingly. Is that right?

Dr. Mustard: Yes; that is my understanding.

Mr. Van Horne: On page 201 or thereabouts—

Mr. Armstrong: Perhaps, Mr. Van Horne, just to complete the record on that, my recollection is that the advisory council recommended to the minister that the matter be brought to the attention of the new Minister of National Health and Welfare, the question being whether aluminum powder was in fact a drug as defined in the Food and Drugs Act. The response of the minister, Madame Begin, to the Minister of Labour's letter of August 21 was received on November 19. The relevant portion of the letter is as follows:

"I am advised that aluminum powder for the prophylaxis of silicosis is considered to be a drug as defined in section 2 of the Food and Drugs Act, in that it is represented for use in the prevention of a disease in man. The product would probably be a new drug according to section C-08011A of the Food and Drug regulations. I appreciate your bringing this matter to my attention."

Mr. Van Horne: Does the minister understand that?

Hon. Mr. Elgie: She is acknowledging that we were correct in our assumption, but she does not outline what she intends to do about it.

Mr. Van Horne: I am sure you will pursue it just to make sure she does understand what she should do with it.

Hon. Mr. Elgie: She seems to understand that it comes within her jurisdiction now, and that a drug to be used for preventive or therapeutic purposes does fall within the Food and Drugs Act. But, as I said, she has no comment on what her role should be in pursuing it.

Mr. Van Horne: What are you going to do?

Hon. Mr. Elgie: We will have to write and ask her if she therefore intends to review the appropriateness for future purposes—although, as Dr. Mustard has said, it is no longer in use in this province.

Mr. Van Horne: My next question on your report is the section dealing with confidentiality of information, pages 200 and 201. I am curious about any discussions you might have had with Mr. Weiler in the light of his recent report.

Are you able to indicate what you may have agreed would be reasonable disclosure of information, in so far as workmen's compensation and his particular interest are concerned?

Dr. Mustard: I have not had discussions with Professor Weiler about this specific point. Of course, he has had copies of these documents, but I have not had a chance to read his report, which has just released many details.

Hon. Mr. Elgie: I think he made some observations, but indicated his remarks should be subject to the Krever commission report, which I hope will be coming forth next month.

Mr. Van Horne: Is it not fair to suggest that there is a fairly close relationship as regards exchanging information, et cetera, between the Workmen's Compensation Board and the council?

Dr. Mustard: Let me answer that. In terms of monitoring what is taking place in occupational health and safety, we get statistics from the board when we request them. Indeed, our reports so far are the only reports, I believe, that document the actual full data in the province.

So we have full access to the aggregated data. We as a council have no requirement to have individual data, neither is it appropriate for us to have data on individuals.

Mr. Van Horne: In other words, the data that comes to you is simply a quantitative sort of thing.

Those are the only specific points I had on that.

I am curious about the budget—if I might raise it while Dr. Mustard is here—on that specific item 5 moving from \$4.8 million last year to \$6.3 million. What control does Dr. Mustard have over the budget, or is this something that he does not have control over?

Dr. Mustard: I hope that is not advisory council's budget and the figures which are—

Mr. Van Horne: No, this is under the occupational health vote.

Dr. Mustard: We have only the budget for the advisory council. That is all I am involved with.

Mr. Van Horne: You put together what is your need for the year and that is forwarded to the deputy or one of the others?

Dr. Mustard: That is correct.

Mr. Van Horne: I am not sure what the arrangement is between yourself and places like

the University of Western Ontario, which has a small lab which Dr. Elgie and I visited when it was officially opened.

Tell us about the financing there. Is that all strictly Western's money? Are you sharing in that?

5 p.m.

Hon. Mr. Elgie: The funding for the resource centres was a three-year startup grant from the Provincial lottery fund.

Mr. Van Horne: But, aside from the startup grant, there is no operating cost that comes out of your ministry?

Hon. Mr. Elgie: No.

Mr. Van Horne: It is strictly theirs? In that case, the faculty of engineering—

Hon. Mr. Elgie: There are some considerations now going on about renewing that startup money because of startup problems that have been apparent in getting private funding. They may well be in need—

Mr. Van Horne: You mean it has not been as forthcoming as you thought it would?

Hon. Mr. Elgie: As they thought it would be, no. Now they may need some further assistance. We are deliberating on that now.

Mr. Van Horne: In so far as the council's activities are concerned, given that they are under pressure to get things done yesterday it would seem, and given that there is a lot of interest and concern shown in your work, do you anticipate growth? What kind of plans do you have for the future? In two years' time should we expect to see this council twice the size, twice as expensive—or half the size, frugally minded or what? What do we have to look forward to?

Dr. Mustard: As a taxpayer, I hope it will not become more expensive. I hope it will deal with the issues it has before it in terms of advice, and that it can maintain the interaction, which an open advisory council's recommendations do, with a ministry in an important area which has broad public involvement.

The thing I hope we will now do, which may add slightly to our cost, would be that we would ask the members of the advisory council to be prepared to meet, periodically, in other parts of the province.

One of the important functions of an advisory council is to have the opportunity for labour—and I use "labour" in the broadest sense—management and anyone else to tell us what they think the problems are in the system, so we can develop advice. I do not believe it is a good policy—and I also say this as a taxpayer—for us

to simply hold our meetings in Toronto. To go to Thunder Bay takes a bit of time, and you have to pay the air fares to get there.

I think there will be a cost if we are successful in moving the council, maybe four times a year, to different parts of the province, to meet with groups and listen to their comments and to bring back some advice we think would be appropriate for an advisory council, having listened to the concerns of other people, and to present them to the ministry and to the government.

Mr. Van Horne: Out of curiosity, do you have to have any authority to do that, or do you do that on your own?

Dr. Mustard: We have to have a budget that allows us to do it, but I don't think we have to have any specific authority, as far as I know.

Mr. Van Horne: If industry is slow to react in supporting the activity of some of the research places, such as that at Western, that may well be a good way to encourage industry to look into it. I am sure occupational health and safety is not much more than a name on a handful of memos, to some of the smaller businesses particularly.

I don't know why I am pleading his case; he is capable of doing that.

Hon. Mr. Elgie: It is a good case and Dr. Mustard and I and some other members of council have discussed this before. There is a need to get a public presence throughout the province.

Dr. Mustard: I might say for the record that the easiest members in council to persuade to do this have been those who are not from management or from labour. My most difficult colleagues in council to persuade to do this have been in management and labour. I finally got them to agree to do it through using the nonlabour and nonmanagement members on this three-source council.

Not being vitally involved in either of the camps, if I can use that term, as a public member on it I feel there is an important function to carry out and that we must do it. Not living in Toronto, I also feel it is important to get out of Toronto as well.

Gradually we have enough momentum behind all our colleagues in council to do it. I hope we will be successful at it. That is the thing you will have to look at; what kind of advice do we give out of this? Do we really find some of the things you find in your discussions with people? Do we formulate it into reasonable advice that is useful to a minister?

Mr. Van Horne: Just on that theme, it is pretty apparent—and I shared this with the minister—that there are differing views out there in the community. We have from the Globe and Mail

of October 30 a headline, "Safety On The Job: Year-old Ontario Law To Protect Workers Is Dogged by Problems."

Within a couple of weeks of that article, there was one in the London Free Press which suggested everything is just fine and there are very few problems.

Here we are, two newspapers, 120 miles apart, articles about 10 days apart, and two different themes.

Hon. Mr. Elgie: As usual, it is probably somewhere in between.

Mr. Van Horne: I would hate to think it is right around Hamilton or wherever.

Is there anything else coming on stream that would affect the dimension of your council?

Dr. Mustard: I do not think there is. I think that is the most important function that would affect the dimension of the council's work.

Mr. Van Horne: That is all I have, Mr. Chairman.

Mr. Chairman: Any further questions for Dr. Mustard?

Thank you very much, Dr. Mustard.

Mr. Haggerty: I would like to deal with a couple of areas I am concerned about. Has the ministry completed its studies related to Inco mine and smelter employees in relation to occupational health? They have been doing some studies there.

Hon. Mr. Elgie: Mr. Robinson, do you have that information, or who would have it?

Mr. Haggerty: I think it is being done by McMaster University.

Hon. Mr. Elgie: Oh, that is Dr. David Muir. I recall I issued an interim report but I had not issued a final report. Dr. Max Fitch would know about that. What is the status of it? I guess there are two studies really. There is the overall study of miners Dr. Muller is involved in and there is the specific project that Dr. Muir is involved in.

Dr. Fitch: Dr. Muir is acting as the research director for the joint occupational health committee; that is jointly between Inco management and the union. The ministry has nothing to do with that as such.

They started out first by doing a mortality study, by getting the names of all former Inco employees and matching them against the death records at Statistics Canada. They have some preliminary information which came to them during this past summer. On the basis of that, they have produced a preliminary report which we have seen, but—

Mr. Haggerty: Has it been made public yet?

Dr. Fitch: I believe it has. We initially saw a

draft which we were asked to treat as confidential because it had not been completed, but I have since seen another copy of it which looks as though it is a completed document. It is under the name of Dr. Roberts, who is the person doing the actual study, although Dr. Muir is the research director for the whole project.

Mr. Haggerty: Does the ministry get a copy of this?

Dr. Fitch: Yes, I have a copy.

Mr. Haggerty: But it has never been made available to the members, so it is not public in that sense?

Hon. Mr. Elgie: I do not know at what stage it is. The last I heard of it was the interim report last summer.

Dr. Fitch: It is not our report really. It is a report of the joint occupational health committee. We would not ordinarily circulate someone else's report.

Mr. Haggerty: But who is funding it?

Hon. Mr. Elgie: Inco.

Mr. Haggerty: And the union?

Hon. Mr. Elgie: It is a joint labour-management study and we have no involvement in funding or anything.

Mr. Armstrong: We are involved in that Dr. Fitch has met with the committee. You can speak to this, Dr. Fitch, because I understand you have indicated we are willing to co-operate by providing any information that may be in our file.

Dr. Fitch: Yes, that is quite true, Mr. Armstrong, but we have not actually had any part in this preliminary report.

Mr. Haggerty: Is the Workmen's Compensation Board part of the study too? Are they contributing anything to the cost of this study?

Hon. Mr. Elgie: Not to my knowledge. As you know, there is the joint occupational health and Workmen's Compensation Board study on the overall mortality in miners, which Dr. Muller is involved in. Any information from that is available, as I understand what Dr. Fitch said, to this study group.

Is that correct, Dr. Fitch?

Dr. Fitch: Yes.

Mr. Haggerty: So you do not know when they finally completed the document.

Dr. Fitch: I can tell you in very general terms that they themselves consider it preliminary because all they have is a list of the causes of death of people in different Inco occupations. What they have done is what is known as a proportional mortality study. In other words,

they compared it with the causes of death for the province, as a whole, to see whether any particular cause seems to be more prominent.

That is not considered to be a terribly valid thing to do when you are looking at a group like this, because it does not make any allowance for the fact that some people may have worked for two years and others for 20 years. It is their intention to go ahead and get considerably more detail and to match this preliminary information against actual work records.

5:10 p.m.

I think this was just an exercise to get the thing going. But they expect to be working for quite a long time on developing all the information they can get from this material.

Mr. Haggerty: Is there another study of a similar nature being done in the Elliot Lake area? I think this was from Dr. Ham's recommendations.

Hon. Mr. Elgie: Would that come under the study that Dr. Muller is doing?

Dr. Fitch: Yes. Dr. Muller, who can speak to this himself, is doing a study of all Ontario miners.

Hon. Mr. Elgie: Including the Elliot Lake mine?

Dr. Fitch: Yes. I say all; it is actually a defined group, but it covers miners in all types of mining.

Hon. Mr. Elgie: Would you like Dr. Muller to bring you up to date on where he is now?

Mr. Haggerty: Yes, if he could—

Dr. Muller: We have now practically finished the exposure file on 50,000 miners. It still needs some refinements, particularly as far as uranium mining is concerned. There are still some discussions on representative concentrations of radon daughters in the early years that will affect their final exposure data.

We have carried out a death search with Statistics Canada. The first matching has been done and we are looking at about 15,000 deaths. It needs some further resolution because their approach is a probabilistic one. We have a grey area where it is very difficult to decide if it is or is not the right man, because of certain discrepancies in spelling of names and this sort of thing.

We would like to improve the technique with Statistics Canada to do at least part of that very time-consuming work by machine. These techniques are still being developed at Statistics Canada. At the same time, we have already started on some manual resolution. In addition, we are trying to do a place control study in order to correct for smoking, specifically in relation to lung cancer. We have visited some 20 hospitals

in the north trying to obtain smoking histories on lung cancer cases. This work is still under way.

We want to obtain smoking histories on a controlled group of survivors. Some steps have been taken in repeating the histology of lung cancer deaths in co-operation with Dr. Ritchie, who would do the re-evaluation of these cases on all tissue blocks we will be capable of finding. I think from a preliminary study in the north we will be able to get a very substantial proportion of these cases. At present, we are looking at over 600 lung cancer deaths.

Hon. Mr. Elgie: You are going to the hospitals?

Dr. Muller: Yes. We were somewhat disappointed, as far as smoking histories in records in some of the hospitals in the north are concerned. We did not find them. But we did find that many of these cases were sent for investigation or treatment and so on to some major hospitals, so we can trace them now in the major hospitals—for example, the Princess Margaret Hospital, the Toronto General Hospital, et cetera—where we are hoping to get very much better information on smoking habits.

This we consider rather essential input in the interpretation of lung cancer rates in the various mining groups.

Mr. Haggerty: Have you contacted the Shaver Hospital for Chest Disease in St. Catharines?

Dr. Muller: We have, of course, information on the hospital in which a miner had died. This was the first hospital we started from.

Mr. Haggerty: Oh, I see.

Dr. Muller: We came to the hospital with a list of names of miners, the exact dates of death, and tried to find out what information was available on the smoking habits of those persons, et cetera. As I say, we were somewhat disappointed but we did find information that the man was sent to the Princess Margaret, the Toronto General, or some other hospital. Perhaps they sent these cases back to these hospitals where we are hoping to get more information. But this is still work in progress.

Mr. Haggerty: It sounds as if you are more interested in the smoking habits of miners than the occupational factor itself.

Dr. Muller: No, sir. I do not think this is a fair statement. I believe one has to look at both. It is impossible to interpret any occupational effects, if you are talking about lung cancer specifically, without at the same time looking at smoking.

These two things do interact. It is known they interact and neglecting one of them would be a serious omission, in my view. It is a serious

omission in many other studies which are being carried out in this field. It is always a question of, "Do they smoke just the same as anyone else or do they smoke more or do they smoke less?" We have to have the answers to these questions in order to produce something that can be taken seriously.

Mr. Haggerty: I suppose we can look at the miner and his habits compared to a miner's. What would you think would be more serious?

Hon. Mr. Elgie: I do not inhale.

Mr. Haggerty: He has answered my question. When I phrased that question, I was recalling a visit to the Elliot Lake mines this past summer when I saw the conditions some of these men had to encounter in a day's work.

I can think of one particular mine, the Denison mine, I believe, where it is like night and day between the two mining operations, Denison and Rio Algom. With the diesel fumes in the Denison mine, I do not know how those fellows could stay down there for eight hours a day.

I found out from questioning miners, and even their spouses, there was a difference in the operations. I suppose it is related to the mine ventilation. Of course, Denison now are going to improve their mine ventilation. If you look back six or seven years, these fellows had to encounter the radon gases and the heavy diesel fumes—I will tell you, the air was blue down there and nauseating to me—I do not know how these fellows can do it.

In speaking to some of their spouses I did find out that some of the miners were from the Sudbury basin and had worked in the Inco mines there. Their spouses told me of the difference in the husbands' personalities and their tiredness when they came back from the Denison mine; they seemed to have practically no life at all; they did not want to be involved in any of the community projects; they did not want to take their children out skating or to hockey games and things like that. After getting down the mine, I could see the reason for it. With the carbon monoxide there, I suppose their tiredness and fatigue came more from the air they were breathing than anything else. How is it we can allow this to continue?

Of course, it comes to the area where you ask whose responsibility it is. There is some question whether it is in federal jurisdiction or provincial. I think we have gone through this with the deputy minister in committee.

But it is a serious problem there. When you are looking at your studies, I hope you take that into consideration too.

5:20 p.m.

I think those fellows, working under the handicap they have—the small respirator that some of them may use and others may not use—in their environment would perhaps require more air to be drawn into their lungs. I suggest to you they are taking more of that toxic material or waste from the mining operations into their lungs.

In some cases I think they are not permitted to smoke down in some of the mines. Maybe years ago they were. But when you come to your conclusions, I hope you do not say, “We relate it all to the smoking habits of the miners,” because I think there is a grey area which you mentioned; there is some responsibility in the occupational health sector of this thing.

You cannot exclude that totally. There have been enough studies now in the area of smoking which indicate that it does have an effect on health.

Dr. Muller: That is the reason for extending this study from the uranium mining study to the overall mining study because it allows us to make these comparisons. We can compare the uranium mines with gold mines, nickel mines, iron ore, et cetera.

Mr. Haggerty: In your studies, when you are checking throughout the hospitals, do you not forget the hospitals in the Niagara Peninsula because many of the miners from northern Ontario eventually had to give up their occupation there to come down and settle in a cleaner environment.

Dr. Muller: We have some there.

Mr. Haggerty: I suggest the Shaver Hospital in St. Catharines may shed some new light on this topic at any rate.

Mr. Lupusella: Could I ask a supplementary?

Hon. Mr. Elgie: Before Dr. Muller goes, I would like some comments on the statements you have made about the carbon monoxide and diesel fumes in mines before we leave this.

Mr. Armstrong: On that point, I want to talk just for a moment about the diesel emissions. Prior to the enactment of the mining health and safety regulations under Bill 70, there was a diesel code that, although it set out some standards, did not have the force and effect of law. When the mining health and safety regulations were enacted, the diesel code was made part of the regulations. I think it is section 175 of the regulations.

The mining, health and safety branch is responsible for the enforcement of that provision in all mines and in the uranium mines they are responsible as an agent for Labour Canada. I do not know whether, Mr. McCrodan, you wish to

comment on the way in which that rather specific regulation and the limits established by the regulation are in fact enforced.

Mr. McCrodan: The mining health and safety branch employees at Elliot Lake work as safety officers for Labour Canada and on diesel exhausts. That comes under the Canada Labour Code and the regulation 409, which embodies the same things that the Occupational Health and Safety Act does in Ontario in the other mines.

The diesel code requirements are covered under section 175. The code has remained quite similar. If you take the metric conversion to the imperial measure, you come up with 100 cubic feet a minute of air required for a diesel horsepower. That is something you can relate to probably more readily. That is the standard and if it is not provided, the heading is closed down. There have been many cases where that has taken place.

Mr. Haggerty: In other words, you are telling me you do have constant monitoring in the mine.

Mr. McCrodan: Denison Mines have about eight monitors of their own, two of them are from the work force, and six are from the staff side. They are all working at it with the same intent, to see that the proper air conditions are provided. If they find these are not provided then they have the right and the power to shut them down immediately.

Our job is an audit of that function and we go along with them at certain times and check their instruments, check their methods of taking the measurements. We find there is a pretty good correlation between the two. If there is not, then we have to find out why not. So far it has been, I would say, very close.

The air quality is improving continuously with the greater amounts of air they are piping in. Their distribution system, of course, has to be right out to the extremities and that is being extended continuously. It changes every day there is a blast; it has to be retracted and then put out again to the work place. It is largely up to the miner to see that he has his air turned on when he reaches his work place.

At the odd time they have trouble with ventilation doors. That is something we saw when we were there. I was there at the same time you were and there was a cross-over that was certainly blue. Actually, that was not above the permitted levels; you can get into some really blue conditions before it reaches the point where you are into too high a level of diesel emission to permit it to continue. It becomes a case of measurement and a case of continual auditing. I think they are doing it all the time.

The ventilation doors are a problem to the extent that they are now being tied into a computerized system where they can measure the drop in air pressure, et cetera, at numerous points around the mine and can tell quickly where the trouble is. Every so often some fellow goes through the doors, as you can appreciate, and just does not get off the big rig to go back and shut them or does not pull the little cord. He might miss it on the way by, so it stays open. That creates a real hassle for a number of people in the area. They found out they had more trouble with that than they really expected. That is why this is tied in to this \$42 million computer as one of the functions of the computer system.

Mr. Haggerty: So there will be some corrections made there.

Mr. McCrodan: I think they have made an awful lot of corrections since they first started; since I started going in there has been a noticeable difference. I did see the same thing you did. I checked on it and that area is not frequently like that because it is one of these cross-over areas. But it is not that heavy that you cannot exist through it.

Mr. Haggerty: I imagine you can get through it. There is some discomfort though.

Mr. McCrodan: There is a certain discomfort.

Mr. Haggerty: When I was talking to some of the employees, in particular, I think one of the union staff members, they were saying it is the normal pattern through there.

Mr. McCrodan: At that point, yes.

Mr. Haggerty: Yes, that is right, and at some other points that were mentioned.

Mr. McCrodan: That is why we all wear the respirators.

Mr. Haggerty: That did help a little bit.

Mr. McCrodan: When you run into that, there is not much you can do in a place which is as wide open as it is there.

Mr. Haggerty: As I said, in comparing the two mining operations, in one mining operation you wear no respirator whatsoever and in the other you have to have the airstream helmet and a small respirator.

Mr. McCrodan: One operation is quite different from the other in that respect in the areas we toured. One has very little diesel equipment in it and the other has a great deal.

Mind you, that is changing too. They are both going to have about equal amounts of diesel equipment by the time they finish changing their mining system.

Hon. Mr. Elgie: Dr. Robinson might just comment on the research project by the Ottawa people.

Dr. Robinson: Yes. There is a combined project in progress at the moment to improve the quality of air, the quality of diesel emissions by reducing the toxic substances emitted. It is a combined effort between the Ontario Research Foundation, the Canadian Department of Energy, Mines and Resources and the US Bureau of Mines.

The Ministry of Labour's Provincial lottery funding, or some of it, is being channelled into the Ontario Research Foundation's effort. It is hoped this will improve the quality and reduce the amount of toxic substances, and at the same time give us a better idea of specifically what is present in the emissions and how best we can reduce the toxic components.

5:30 p.m.

Mr. Chairman: Mr. Lupusella, did you have a question?

Mr. Lupusella: Yes, just a short supplementary to Dr. Mustard.

You mentioned pursuing the study on smoking habits in miners and I am just concerned to find out if you got a report from the federal government, the Department of National Health and Welfare, in relation to an extensive study done by the University of Waterloo on the effects of smoking. I heard on the news some time ago—six or seven months ago—that the federal government did not want to release the report; in other words, they did not want to make it public. I am sure there are certain revelations in this study and eventually—I am just trying to interpret the position of the government in not releasing the report.

The first question is, do you have this report?

Dr. Muller: Not specifically this report, no.

Mr. Lupusella: Are you planning to get it? You have heard about this report, I am sure.

Dr. Muller: I happened to work on this particular study together with the department of mathematics at the University of Waterloo, which is the department that was involved in that study. So I think certainly it will be made easy.

In addition to that, what I am planning to do really is not investigate the effect of smoking generally, but we are trying to do a case-controlled study where we are looking at, let's say, uranium miners, smoking and nonsmoking miners, or gold miners who do or do not smoke, and see, for example, if the difference in risk between smokers and nonsmokers is the same in both these types of mines. Or if perhaps, in

uranium mines, the difference in risk is greater, which would indicate that the two risks, from radon daughters and smoking, are more than additive, et cetera.

We do not really have to deal with the problem of smoking generally, but we are dealing with the problem of smoking in various types of miners and mines.

Mr. Lupusella: You are trying to establish the relationship—

Dr. Muller: The interaction from smoking and the environmental conditions.

Mr. Lupusella: To the minister: even though I am a little bit off the topic, I am concerned about the fact that the federal government did not want to release this report. I think that you might urge the Minister of Health to get hold of it.

I do not know the content of it. Even the news was criticizing the position of the federal government. It should be made public and I hope that you are going to convey this concern to the federal Minister of Health.

Hon. Mr. Elgie: I had not heard of that particular thing. There have been many, many studies on carcinoma.

Dr. Muller: It may be made public by now, I could not say.

Hon. Mr. Elgie: Do you know it? Do you know the study?

Dr. Muller: I know of it, but I have not read it yet.

Hon. Mr. Elgie: I would be pleased to write to the federal minister and see what disposition she plans.

Mr. Van Horne: A supplementary, if I might. Talking about university research, is there any other university in Canada that is researching this topic, and if so, are you able to identify the university and, specifically, what is the study? Or let's go beyond that and say North America. Mines exist in the United States; surely they must have done some research too. Are you working with any of them?

Dr. Muller: I am aware of the studies that have been carried out in the States. I am aware of the studies that were carried out in other countries, Sweden, and in other parts of the world, experimental studies done in France for example.

Mr. Van Horne: Elsewhere in Canada?

Dr. Muller: There is the Inco study, which includes, of course, a fair proportion of miners; that was done by McMaster University. I am aware of this study.

I believe that in some ways the historic data

we have in Ontario are probably better than in most other jurisdictions, including for example the Czech mines, where some extensive studies have been done in the past and recently as well. The data in Ontario, even though they are not perfect, are probably better than in most other jurisdictions, certainly better than in the US, better than in Czechoslovakia.

All I think one can hope to do is contribute just a small part to the overall pool of knowledge that exists today. I do not think we can do any better. But having these data, I think we have a responsibility to use them and to derive as much knowledge from them as we possibly can. They differ in many ways from other data.

Mr. Van Horne: In the studies analysing data, do you do any subjective analysis in so far as getting back into cases and looking at X-rays and things like that is concerned? Or is this all strictly numbers that you are looking at?

Dr. Muller: No, part of the study—I did not mention it here—is looking at the progression of silicosis in various types of mines, because in our exposure record we have coded information on X-ray findings over all these years from 1955. Actually we are looking at the period from 1955 up to 1978.

Mr. Van Horne: Do you have more than one medical expert looking at these chest X-rays?

Dr. Muller: We are not re-evaluating these X-rays because it becomes quite unmanageable. We are accepting the coded evaluation that was done at the time of the examination by the appropriate mining stations. We do not re-evaluate the X-rays.

Mr. Van Horne: Was the appropriate evaluation, as you call it, done by a wide number of X-ray experts or radiologists? Or was it done by a rather select, small group?

Dr. Muller: I would say by a select, small group of people who are used to looking at miners' X-rays and do recognize silicosis.

Mr. Van Horne: So it really boils down to the assessment of that one or two or three people. How many would there be in that select, small group?

Dr. Muller: It varies. I cannot tell you now, offhand, sir, how many miners' examination stations there were in the past.

Mr. Van Horne: Is that information available?

Dr. Muller: Yes, I could certainly obtain that information.

Mr. Van Horne: I would like to know that, given that we hear there are very few of them around.

Dr. Muller: Yes, it changes over the years. I think I will be able to get you that information.

Mr. Van Horne: It casts an interesting thought for us to grapple with, and that is, if it is just a very small number, we have to assume their expertise is such that they would not err or would not come down on the side of something that would be open to some further question or judgement from another medical expert.

Dr. Muller: I think a number of studies have been done in the past where a number of experts with great experience looked at the same X-rays and classified them independently. You do find individual errors, differences. The technique, up to a point, is subjective; it is not an objective technique where you measure something and you come up with an accurate number. So, yes, there might be—

Mr. Van Horne: It is a judgement call.

Dr. Muller: To some extent it is subjective, yes. But we would still have to fall back on the X-rays taken at the time. We cannot take new X-rays. We would still have to fall back on these X-rays. A lot depends on their quality. It is a very complex problem.

Mr. Haggerty: The next question I have deals with the Provincial lottery award and the study being carried out by Dr. S. Abel and Dr. Peter Alberti of the Mount Sinai Hospital. Apparently the first report was completed and I think, if I can recall, the report said the present ear protectors were not of a quality that would be suitable to reduce the noise vibrations and the noise hazard they personally encounter in the working environment. Has that study been completed?

Mr. Heath: I would like Celia Fairclough to comment on the status of that. Have we received the final report?

Ms. Fairclough: Yes, that report has been received. It has been completed.

5:40 p.m.

Mr. Haggerty: Is that available to the members, or does the Ministry of Labour have a copy of it?

Hon. Mr. Elgie: It is available in the reading room. Is it available now?

Ms. Fairclough: I have it in my office. I could bring you a copy of it.

Mr. Haggerty: What are some of the final recommendations? Has it pinpointed any area where there should be research done in the area of ear protectors?

The first report said they are not of a quality that should be in the work place today. What are we going to do, what measures are going to be

taken by the Ministry of Labour or someone here to see that workers in industry do have suitable types of ear protectors?

Ms. Fairclough: I myself am not familiar with the content of the report.

Mr. Heath: Are you familiar with it, John?

Dr. McEwan: Yes. The quality of the ear protectors does not seem to be the problem. The problem seems to be the training and the skill with which the workers install the ear protectors or wear them. They misuse them by drilling holes or carving identification symbols which seems to be at least a problem of similar magnitude.

Essentially, I think the study was done using the workers' own methods of installing their earplugs or putting on their earmuffs, and if that method was incorrect, that was the type of reading that was taken. So more education seems to be a primary requirement.

Mr. Haggerty: I don't know. I thought the comments from the first report I read were that the ear protectors were not of a suitable type. If you take the ear protectors alone, the earmuffs and so on, they were perhaps constructed for one size of person, and are not suitable for different sizes of people. You know everyone cannot wear the same hat size, let's put it that way. And I think this is one area that was pinpointed.

The other area is where you have the sponge type of protector, one you are supposed to squeeze down and sort of twist into your ear and hope it is going to stay there. Well, if anyone has ever worn any of those they will know they eventually pop right out and you end up with nothing.

In my day, working in industry, we used to just take a wad of cotton batting and put it in there. Perhaps that was better than anything at that time. There is a new type out now where I think you have to hold your head back in a certain way and kind of twist it or screw it in your ears and hope it is going to help. It almost takes two persons to do that, and I was thinking that perhaps when this report was finalized, there would be some recommendations for someone to research properly designed ear protectors, so there would not be so many of them on the market and there would be one that would do the job for everybody.

It is getting to be quite a problem, even in the Workmen's Compensation Board, considering the number of claims that were settled there with the type of ear protection used in past years. I don't think the existing ear protectors are suitable and I thought perhaps I would have to take a look at that report and see what some of the recommendations are.

But I think, in this particular area, you should continue with more research to come up with a suitable type of an ear protector that will provide a reduction in the noise and vibrations that employees have to encounter.

Mr. McClellan: Perhaps if it's not a really big document we could make one copy available for each of the caucuses.

Mr. Armstrong: Just on that point, you are aware, Mr. Haggerty, there was a proposed noise regulation gazetted last August 16. I don't propose to read it, but section 4 of the regulation deals with the permissible exposure limits and then section 10 deals with the question of, first of all, the circumstances under which personal hearing protection shall be provided.

Subsection 2 deals in some detail with the quality of that hearing protection. So, under the proposed regulation, once enacted, there will be a means by which the quality of the hearing protection can be assessed.

Mr. McClellan: Does that deal with the standards of the equipment?

Mr. Armstrong: Section 10(2): "... shall meet or exceed the requirements set out in the Canadian Standards Association standard Z942-1974."

Mr. Haggerty: What does that tell me now?

Mr. Armstrong: You would have to look at that section of the Canadian Standards Association bulletin. I am not aware of the particular requirements, but maybe someone else is.

Mr. Haggerty: Why would you put something like that in the Gazette, something the average person cannot understand? I cannot understand it and I do not think there is a member here who can.

Why do you not put it down in detail so the person working in industry can understand it? I do not know what decibels you are looking at, but he is going to come back and say, "It says here 'Canadian standards.'" I do not know what it means and he does not, and I do not think even management would know. Is there not another way in which you can inform the persons involved in this particular area of what the requirements are, put them down in layman's terms so they can understand it?

If I go back into the lottery awards, I am looking at, "Ontario Federation of Labour, design to train Ontario health and safety instructors who can train member representatives in all aspects of joint health and safety." That is \$330,000 actual in 1978.

If you go to the back of the page it gives the figure for 1979, again to the Ontario Federation

of Labour, development and training programs for occupational health. You have a total commitment of \$1,323,000. That is a lot of money to try to tell people what their rights are under the Occupational Health and Safety Act.

Mr. Armstrong: The background documents in support of the regulations will be made available at the time the regulation is filed with the registrar of regulations. At the same time I believe, Dr. Robinson, it is the intention of the division to publish, along with the regulations, a guide and code of practice which would interpret the Canadian Standards Association requirements, so that would be available.

I think it is unrealistic to expect the regulation itself to set out the entire body of the Canadian Standards Association requirement. That is a document that is referenced in the regulation and the explanatory material will explain in layman's language what that means. So I think your concern, which is quite legitimate, will be taken care of when the regulation is filed.

Mr. McClellan: Does there not appear to be a fairly major loophole in the regulation? You refer me to section 10(2), but section 10(1) seems to be a blanket exemption from an obligation for an employer to provide personal hearing protection where measures and procedures do not exist or are unavailable. A layman's reading of that would suggest that if an employer did not have protective hearing devices he could be exempt from the application of the regulation.

Mr. Armstrong: I think you have misread the regulation. Section 4 is the section which describes the limitations of exposure to sound levels. The intention of section 10 is precisely the reverse to what you have suggested. It is intended to prohibit an employer from reaching those maximum limits by the use of personal hearing protection, except in very limited circumstances.

Mr. Lupusella: By way of supplementary, Mr. Chairman, I would like to make a comment on—is it Wintario or Lottario money given to the Ontario Federation of Labour?

Mr. Haggerty: Provincial lottery award.

Mr. Lupusella: The Provincial lottery; and its purpose is for the Ontario Federation of Labour to tell the workers about their rights under Bill 70 and the regulations being implemented. My question is, what is going to happen to people who are not organized by the trade union movement, what are you planning to do for them, the majority? 5:50 p.m.

Hon. Mr. Elgie: That is what Dr. Mustard was talking to us about earlier. It is a problem we are trying to address.

Part of the function of the advisory council now, of course, is to review the various safety associations. They have briefs from them, they have made some comments and now they are preparing a final review of the safety associations' briefs. That will relate to the very issue you are talking about, which is whether they should be playing a different role, whatever the advisory council decides, in order to facilitate spreading this information throughout unorganized work places.

The lottery money granted to the Ontario Federation of Labour also has the rider attached to it—although I acknowledge it probably is one that has some realistic reservations—that if unorganized workers wish to take part in it, they should apply.

Mr. Lupusella: Of course.

Hon. Mr. Elgie: I appreciate the drawback to that, as you do. That is why the advisory council is addressing it in other areas and trying to give us some advice.

Mr. Haggerty: Where are these courses held?

Hon. Mr. Elgie: The Ontario Federation of Labour hold them throughout the province. I attended one that was held up at Lake Couchiching conference centre. They run two-week and four-week programs. These are not instructional programs to train the workers on the floor; they are to train the trainers to acquire a body of knowledge which they may then impart to the work places in which they function.

Mr. Haggerty: In other words, it is a seminar, is it?

Hon. Mr. Elgie: It is a teaching seminar setting for trainers, who will go back to their work places and teach what they have learned.

Mr. Haggerty: Bill 70 is a rather important piece of legislation for almost every worker in Ontario. Have you given any consideration to the fact that really to get an educational program going across Ontario, you should be starting in the secondary schools? Could that not be included as part of their curriculum, starting at an early stage?

Hon. Mr. Elgie: We are having enough problems disseminating the information—

Mr. Haggerty: I am suggesting this is an important area because nine out of 10 of them will be entering the work place. Whether they take a white-collar job or a blue-collar job, this is an area we should be looking at.

In the secondary high school in my area a course on law is part of the curriculum. This, in a sense, is also law. Could it not be included? Have you given it any consideration? Why not use lottery funds for a pilot project and see?

Hon. Mr. Elgie: The curriculum, as you know, is not part of my jurisdiction. If you wish, Mr. Gladstone could comment on some audio-visual and explanatory material that is being prepared now for dissemination in the community and in school systems, if the school system wishes.

Mr. Haggerty: It could even be done through the public libraries. They reach persons who are not unionized.

Hon. Mr. Elgie: Perhaps Mr. Gladstone can tell you whether we have any distribution plans for that material as yet.

Mr. Lupusella: Before the comments start, this is exactly the point I am trying to raise. I would like to give you my recommendation, which I hope can be implemented.

I am concerned about the unorganized workers and ethnic groups who are not aware of this act and regulations. If you can extract more money from the lotteries to translate this act into different languages, I am sure that the ethnic groups will benefit from that.

Hon. Mr. Elgie: There are some translations going on at the present time. Who has all the information on that?

Dr. Robinson: The industrial regulations at this time have been translated into French. The mining regulations, I believe, are expected in December.

Mr. Lupusella: Just French, or are you planning to translate to other languages besides?

Dr. Robinson: Just French at the present time on the regulations. There are posters available in more languages than English and French.

Mr. Lupusella: I hope you will consider going to other languages besides French and English, because a lot of people come to my constituency office, in particular the Portuguese. I speak to them about this act and tell them what they should do, but they don't even know it exists.

If you would undertake the task of translating this act and regulations into different languages to reach the ethnic communities, I am sure it would be useful to them. It might also prevent accidents; they would know both their rights and what they are not allowed to do. It would be a good way to reach the community. They would get hold of the act and read it.

It would also be useful to them to know about the program being carried out by the Ontario Federation of Labour. The federation will reach the organized workers, but 65 per cent of the workers are not organized by the trade union movement. At least they would be aware of their rights under the act and the regulations.

Mr. Gladstone: If I may go back one step in the process, the safety associations—we learned this in the advisory council process in meeting with them—have developed programs for reaching into the high schools and providing the students involved with trades programs, as one example, with data sheets on safe work practices.

I am also aware of the fact that the Industrial Accident Prevention Association has, for a number of years, sponsored a competitive safety awareness program that culminates in a competition at their annual convention. This gets the message of safety into the high schools, which is a start. I would like to say we learned this at the advisory council sessions with the safety associations in the past year.

The issue of knowing and understanding health and safety statutes and procedures, the effects of the lack of understanding of these and how you can go about correcting them, came to the advisory council's attention. I will pursue this for a moment, if I may, on the basis of Dr. Mustard's interests in literacy. They now have a task force established and pursuing this matter with vigour. I think the advisory council will come up with some relevant and pertinent information.

If I may speak specifically to the question of what the occupational health and safety division is doing with regard to the information for people in matters of health and safety, the division has under advisement an explanatory booklet on the Occupational Health and Safety Act. It also has under advisement a media approach to the Occupational Health and Safety Act which would be a slide-tape presentation on what the major provisions of the act are, so that people can have a better appreciation of their rights and duties under the act.

The third point I can speak to personally is that we are developing guidelines for occupational health and safety committees and representatives.

Mr. Lupusella: With respect, on the last point you have to realize that in Metropolitan Toronto and in different parts of the province we have many people who do not speak English at all. That is why I made this particular reference.

I am sure that not all the communities will benefit from what you are offering because of the language barrier. I hope you will be able to get some money from the lotteries to translate the act and the regulations for those who do not understand English.

6 p.m.

Mr. Haggerty: I think a few years ago they used to have the labour act in six or seven different languages, and it was available to anybody who asked for it. It was put out by former minister Guindon.

To sum up, will you consider talking with your colleague, the Minister of Education and of Colleges and Universities (Miss Stephenson) about the possibility of using the study of Bill 70, in the last year of high school, as a credit towards a secondary school diploma?

Hon. Mr. Elgie: I would have to talk to her about the pros and cons of it, but I would be glad to discuss it with her.

Mr. Haggerty: They have driver education which is very helpful, and this is somewhat similar.

Mr. Chairman: I should mention to the committee that we have two hours and 36 minutes left in these estimates. We will complete tomorrow, and I wondered how the committee wished to do it.

We have four votes, human rights and three others. Do you wish to deal with any of those other votes besides human rights? Please let me know your wishes, because the minister has the problem of having appropriate staff here.

Hon. Mr. Elgie: It was agreed at the outset that we would do human rights. I am just wondering if you want any members of staff from other divisions.

Mr. Chairman: Those would be employment standards, manpower and labour relations board.

Mr. Van Horne: Mr. Chairman, speaking for our caucus, we are quite prepared to pass the other votes, with the exception of human rights, and to deal exclusively with that tomorrow. I don't know what the third party wishes.

Mr. Lupusella: Our position is we have to leave the option open. In case someone wants to raise anything on the other votes, we would ask the chairman to allow the member to speak.

Mr. Chairman: Yes. There is no problem there. It is just a question of having the appropriate staff here on those votes.

Mr. Van Horne: We discussed what the split would be in so far as debate on topics is concerned and the decision of the committee was that today it would be occupational health and safety, and tomorrow would be the day for the Ontario Human Rights Commission.

Mr. Chairman: There is no question that was the arrangement. But if we get through with human rights at 5:40, where do we go from there?

Mr. Van Horne: To a delightful supper, I would think.

Mr. Lupusella: I suppose my name is on the list, Mr. Chairman. I will be dealing with Bill 70 and occupational health and safety. I have not

been able as yet to make my presentation on Bill 70 and the topic of occupational health and safety.

Mr. Chairman: So you do not want to pass vote 2404?

Mr. Lupusella: No, I did not make my presentation yet on this vote. I have a 20-minute presentation to make.

Mr. Van Horne: On what?

Hon. Mr. Elgie: Occupational health and safety.

Mr. Chairman: I had understood that we would pass this vote, but if you do not wish to—

Mr. Lupusella: That is why. I want to make sure I make my presentation.

Mr. Chairman: You people will have to sort it out with your critic. We will leave it at that.

The committee adjourned at 6:04 p.m.

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No. S-40

Legislature of Ontario Debates

Official Report (Hansard)

Standing Committee on Social Development

Estimates, Ministry of Labour



Fourth Session, 31st Parliament

Tuesday, November 25, 1980

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

TUESDAY, NOVEMBER 25, 1980

The committee met at 3:47 p.m. in committee room No. 1.

ESTIMATES, MINISTRY OF LABOUR (concluded)

Mr. Chairman: I will call the committee to order. We will delay the passage of vote 2404, occupational health and safety program, until the minister arrives.

Votes 2405 and 2406 agreed to.

On vote 2408, labour relations board program:

Mr. Lupusella: I have a question on that. Maybe Mr. Armstrong can help me.

My point on the Ontario Labour Relations Board is related to those who are not covered by the trade union movement. What is happening with them? They do not have the type of representation which they should have. What structure is there in an unorganized plant when workers are faced with problems and there is no union? What alternatives are open to them in disputes?

I don't think they are covered at all. Am I correct?

Mr. Armstrong: I think that is right. In the absence of certification or a voluntary recognition under the Labour Relations Act, in effect you do not have a regime of collective representation.

Mr. Lupusella: Is the Employment Standards Act getting into the picture?

Mr. Armstrong: The Employment Standards Act covers all employees whether or not they are organized, subject to the exceptions in the act. It is certainly not a precondition to coverage to have a trade union, as you know.

Mr. Lupusella: Is the minister trying to do something to see that unorganized workers are properly represented in order to deal with disputes in the absence of a union? They are now completely excluded. Is there any study or proposed regulation to be implemented, or is the minister trying to ignore the 65 per cent of the total labour force which is not organized by the trade union movement?

Mr. Armstrong: No, it is clear under the Labour Relations Act that it is open to all

employees in the province who want to have a collective bargaining agent, subject to certain exempted groups, to join a trade union of their choice and to get that trade union certified.

The minister mentioned earlier in the debates that he was interested in, and the ministry was considering, the question of coverage for unjust dismissal in the unorganized sector under the Employment Standards Act. That is a matter which is under consideration. However, it is quite clear our laws provide for collective representation only under the provisions of the Labour Relations Act.

Mr. Lupusella: What about those who are organized by the trade union movement where the union, say for its own reasons, is unwilling to take the case before the labour relations board? What if those workers would like to bring the case before the labour relations board and cannot do so—I am speaking hypothetically—because the union is unwilling to take a case or dispute before the board? What happens to them?

Mr. Armstrong: As you perhaps know, section 60(a) of the Labour Relations Act is the section dealing with the duty of fair representation. The bargaining agent is under a legal obligation to represent fairly all members covered by the bargaining unit, whether or not the employees are in the bargaining unit or are members of the trade union.

If a member of a bargaining unit alleges that his particular complaint is not being brought forward by the bargaining agent, either in respect of, let us say agreements and arbitration, or in respect of a complaint under the act itself, he can come to the board and lay that complaint before the board and say, "This bargaining agent, this union, is not fairly representing me."

The annual report indicates, Mr. Lupusella, the number of such cases. They arise with some frequency and the board deals with them.

Mr. Lupusella: Is there any time period in which the worker must act? If the time expires, will the board listen to his arguments?

Mr. Armstrong: It is not related to any time

requirement. If at any time a member of a bargaining unit believes he is not being fairly represented, he can bring that complaint directly before the board. I may say he has to show in that complaint that the trade union has failed in its duty of fair representation.

Mr. Lupusella: I am raising this issue because a lot of people come to my office with their problems. I am sure that the employment standards branch is aware of my active correspondence in forwarding workers' problems to the branch. I have received a lot of co-operation from the branch in solving problems.

One problem I am encountering is with the decision-making process of the employment standards branch. What legal power does the branch have to make sure its decision will be implemented when the investigation is finalized, in the event that the decision is in favour of the worker?

Most of the time I have found that the branch does not have the legal power to implement its own recommendation. It deals in a very co-operative way with the employers by getting in touch with them. What if you are faced with employers who do not want to co-operate with the branch? How are you protecting the workers in that regard?

Mr. Armstrong: Mr. Chairman, we are hopping around a bit. We are now off the the labour relations board and getting into the Employment Standards Act.

I can say one or two things of a general nature. As you know, if the dispute is in respect of wages, vacation pay which is owed, or any other of the substantive matters arising under the Employment Standards Act, the branch has the right to make an assessment and issue an order against the defaulting employer. If there is a dispute as to the propriety or legality of the branch's order, there is provision for appeal for the appointment of an inquiry officer.

So I would say, Mr. Lupusella, unless you have some specific indication that the branch is not enforcing its orders, or is not taking the matter of enforcement seriously, my experience has been the branch does use its remedial powers effectively and efficiently. They are there in the act.

I would appreciate knowing of any instances where a valid claim which has resulted in an appropriate assessment is not being pursued.

Mr. Lupusella: I have observed that there is tremendous delay in enforcing decisions taken by the employment standards branch. I have discovered that the branch deals in a very co-operative way with the employer, which, to a certain extent, is not wrong. But after the

employer has failed to co-operate for a certain period of time, I think enforcement should take place. I have a few examples in that connection, but I don't want to mention names now.

The branch has been very co-operative in investigating cases in a very thorough way, and so on, but the feeling I get from certain cases is that there is delay in finalizing the case because the employer does not want to co-operate with the decision taken by the branch.

I must tell you that in one case the employer did not appeal the decision. It was a case of not wanting to follow the position taken by the branch, not because they were in disagreement with it, but because they did not want to pay the money. I am concerned about that.

I know they investigate each case in a very thorough way. I am satisfied with that. But the action does not go far enough towards finalizing cases quickly. I have had cases which have taken more than six months to settle. I hope you will convey this message to the branch, that they should make sure their findings will be implemented within a reasonable period of time.

Mr. Armstrong: I will certainly convey that. As you know, Mr. John Scott is a very dedicated director and he would want to know of any individual cases where there has been undue delay. If you want to bring those cases to my attention, or to the attention of Mr. Scott, at the completion of these hearings, we would be pleased to deal with them.

Mr. Lupusella: I don't want to accuse the branch. They are doing a good job of defending the worker. The problem is that the implementation of their findings sometimes is overdue. That is the point I would like to make.

Vote 2408 agreed to.

On vote 2404, occupational health and safety program:

Mr. Chairman: We are back to occupational health and safety, vote 2404. The minister is just outside, Mr. Lupusella, and will be in in a moment. Perhaps you could proceed.

Mr. Lupusella: Maybe Mr. Armstrong can take note of seven points I would like to raise under this vote, particularly in relation to Bill 70. As I stated a few days ago in connection with the quality of working life, I think Bill 70 should produce some fruitful results and go a long way towards the prevention of accidents if the workers are aware of the rights they have under Bill 70.

I will begin my remarks by focusing on Bill 70. As the minister is no doubt aware, the Ontario Federation of Labour had an occupational health and safety conference recently. The

theme of the conference was, Bill 70: Success or Failure? As the discussion papers presented to delegates to that conference clearly indicate, it is the opinion of the labour movement that, by and large, Bill 70 has been a failure.

Criticism of the legislation falls, generally speaking, within seven areas.

First, the coverage: As you know, it has been the position of this party that Ontario farm workers, teachers in both the public and secondary school systems, firefighters and policemen ought to be covered by the legislation. The Ontario Federation of Labour concurs with this opinion and a number of recent incidents support our position.

4 p.m.

For example, there was a recent story that lindane, suspected of being a cancer-causing pesticide, is used on Ontario farm land. To our way of thinking, this clearly indicates that there is a need for more stringent protection for farm workers.

In a similar vein, the problem of unlabelled and unknown toxic chemicals being used in schools clearly indicates that teachers need to be brought under the aegis of the act.

In his opening statement, the minister indicated that he had established a consultative process to examine the desirable extent to which health care institutions, educational establishments, police and the firefighters should be brought under the scope of regulations under the act. I would like to know how long it is going to take before this minister is going to take concrete action to bring workers in these sectors under the terms of Bill 70.

Perhaps you would like to reply to this first point.

Mr. Armstrong: Yes. Let me, if I may, first of all point out, Mr. Lupusella, the police and firefighters are now covered by the act.

It is true there are certain portions of the act in which the coverage is restricted. For example, the right to refuse to perform unsafe work is not available to police and firefighters, but they are covered by the remainder of the provisions of the act.

I think perhaps if the Ontario Federation of Labour presentation said they were not covered at all, it was in error. But as I say, that is subject to the restriction I mentioned, namely, they do not have the right to refuse to perform unsafe work.

The teachers, it is true, are not covered now, but you will remember, perhaps, that during the course of the debate on Bill 70 it was represented in the House that the teachers' federations had indicated they wanted a period of two years in

which to consult and determine the mode of coverage most appropriate to their particular needs. Those consultations with the teacher groups have been proceeding. Perhaps Dr. Robinson or Mr. Heath can tell you of the progress we are making in that regard and what we may see as targets for eventual coverage of the teachers.

The same is true of farm workers. They are not now covered. They may be covered by the appropriate regulation. Again, consultations have been proceeding with farm groups to determine the appropriate nature of the regulations which could take care of their particular needs.

Dr. Robinson or Mr. Heath could tell you, in more detail, what those consultations have consisted of so far and any predictions about the timing of their completion.

Mr. Heath: In the case of the teachers, a committee consisting of representatives of the Ontario Teachers' Federation, the Ontario School Trustees' Council and representatives from the Ontario Association of Education Administrative Officials and the Ontario Catholic Supervisory Offices Association has been meeting in the offices of the Ministry of Education. They have drafted a report for submission to the Minister of Education (Miss Stephenson), of which, we understand, we will be given a copy.

We have attended a number of those discussions and there would appear to be agreement that coverage should be extended to teachers. There were some questions as to the manner in which and whether the provisions of the Occupational Health and Safety Act are appropriate in the school setting, as to how the act might have to be changed to be appropriate to teachers because of the relationships within the system.

In the case of the agricultural sector, a number of meetings have been held—one was held very recently, on November 10—at which the various parties who were present extended invitations to more than 15 organizations representing commodity groups and workers. They agreed to form a committee of some 13 persons who were to look at the manner in which they should proceed with coverage for farming operations.

There is an agreement on the part of most of the commodity groups in the Farm Safety Association that there is a need for coverage in certain very specific areas—rollover protection, guarding of equipment and personal protective equipment are things they put as a very high priority. There is a recognition of the need.

Many of the discussions have focused on the particular problems of making regulations appli-

cable to all sectors within the farming field. For example, rollover protection may be appropriate for work in the open fields but it presents all sorts of problems in the nursery, essentially because the tractor will not go through the door. In both areas there appears to be a commitment that there should be coverage and we are working with them to try to get this in place.

Mr. Lupusella: But I am sure that farmers and teachers will realize today, as opposed to the time when Bill 70 was discussed, that they are particularly affected by unsafe working conditions. I can give you an example; asbestos in schools.

Teachers used to believe that they were working in a clean environment and finally, at about the beginning of this year, they realized there was asbestos in schools, particularly in new schools. For the farmers I think we can use the same concept; they are dealing with chemicals on a daily basis and they were not sensitized to the danger of using those chemicals.

When the Ontario Federation of Labour states that they are not covered, I think they mean they are not fully covered in view of the fact the particular section about refusing to perform certain duties is not applicable to them. In that respect I think the Ontario Federation of Labour maintains its criticism of Bill 70 in that they are not covered because this particular section is not extended to them.

If we frame this criticism within such a concept, I think that is true. If they do not get the full benefits of Bill 70 in being able to refuse to work or refuse to perform certain duties when they are faced with unsafe working conditions—if you do not give these rights to them the whole principle of Bill 70 is eroded as far as I am concerned.

4:10 p.m.

What protection are you giving them if they cannot refuse to work when they realize working conditions are unsafe to their health? I think this particular clause is the main thrust of the whole of Bill 70. I sympathize and share the concern of the Ontario Federation of Labour that they do not have coverage as long as you fail to extend this particular clause to farmers and teachers and other groups which at this time are really not covered.

I hope you will understand why the criticism exists and why they are not covered, even though you maintain the principle that they are covered at present. It is the same thing in that you are trying to give them certain rights but they cannot implement those rights and they cannot refuse to perform certain tasks when

they realize that they are dealing with unsafe working conditions. What types of rights are they dealing with?

Mr. Armstrong: That may be a point that was advanced by the federation on behalf of the police, but I should say to you, Mr. Lupusella, that the minister has appointed an advisory committee under section 11 of the act comprised of representation from the police governing authorities, from the chiefs of police and, specifically to your point, from the police associations.

I have attended one or two meetings of that advisory committee and this is not a criticism that I have heard advanced by the police associations on behalf of their members. They are concerned about us having in place adequate resources for inspection. They are concerned about the development of regulations that are peculiar and unique to their situation. But I have not heard them raise the question of the right to refuse to perform unsafe work. That may be a hidden agenda item or one they are going to get to later on, but so far it has not been advanced on behalf of the rank and file of police forces.

Mr. Lupusella: What about teachers and farmers? Did they advance the principle that they want to have such protection, to refuse to work in unsafe conditions? Did they request that and what is the position now?

Mr. Armstrong: Of course, in the case of teachers and farmers they are not covered by any provision of the act and that has been the purpose of the consultative meetings that Mr. Heath has been talking about—to work with them to determine the manner, in all respects, in which they will be brought under the act.

Mr. Lupusella: You stated that a report was sent to the Minister of Labour (Mr. Elgie) by the teachers' federations.

Mr. Heath: I said a report had been prepared and was going forth to the Minister of Education; it has not been shared with us at this time.

This is a report that has been worked through jointly with the Ontario School Trustees' Council and the Ontario Teachers' Federation. We discussed the application of the act in some detail with them at one time. I would have to say I did not come away from that discussion with the feeling that the refusal to work was an important issue on the part of the teachers' federation. Indeed, one of their concerns is their obligation for the safety of their charges, the children; this was, how could a teacher refuse to work and abdicate his responsibility by placing the pupils at risk? This was one of the issues discussed, but it did not seem to be a major item.

Mr. Lupusella: Why did this report go to the Minister of Education instead of being given to the Minister of Labour? I do not understand the technique being used in bringing a report to the Minister of Education when the Minister of Labour is implementing Bill 70.

If they want to have full coverage and if they are making certain requests through this report, you are going to be the one who has take their demands into consideration. Why are you using the Minister of Education instead?

Hon. Mr. Elgie: I have not been involved in that debate. What is he talking about?

Mr. Heath: I would have to say that the committee was struck within the Ministry of Education—by the Ministry of Education, as a matter of fact—because of their concern about the manner in which the act might be extended to teachers.

I attended the first meeting of that committee and Mr. McCandless, president of the Ontario Public School Men Teachers' Federation, seemed to be comfortable with the arrangement. The group seemed to be very comfortable that they were properly struck, because they wanted to look at any problems they might have under the Education Act. The question is how is the Education Act going to be affected by the Occupational Health and Safety Act?

Mr. Lupusella: I understand. What I am reprimanding in some way is the fact that the reports have to be studied by the Minister of Education first. Photostatic machines are widely used today; you can have a photocopy of this report to make sure that you have studied the implications of their demands as well; you can approach the Minister of Education and study the implications of their requests with the Minister of Education.

First of all, the report is to be studied by the Minister of Education and eventually, next year, the report will be brought to your attention so you can see the demands the teachers are making. Can you speed up the process and get hold of this report as well, study the content of the report and eventually have a joint meeting with the Minister of Education?

It could take years to review the implications of this report. I think it is fair game to get a copy of this report yourself and study the implications of their demands in order that you will be ready to meet the Minister of Education eventually and find out if Bill 70 has to be amended, or whatever.

I did not see the report, I would like to see it.

Hon. Mr. Elgie: I have no hesitation in speaking to my colleague and asking her the

nature of the information in the report, but there have been no complaints registered with me about the process that is going on.

Indeed, I guess that is what initiated the original correspondence from the teachers, wondering whether or not they should come under the Education Act in some way or under the Occupational Health and Safety Act. I realize there are groups that did not agree with that. Nevertheless, it was written by representatives. I know of no attempt to try to delay the process and I will be glad to speak to my colleague.

Mr. Lupusella: I am not emphasizing complaints. I really do not know what they wrote in their report, but I think if you and your officials study the report, I am sure that eventually you can meet with the Minister of Education as soon as possible and find out the ramifications of their recommendations.

Hon. Mr. Elgie: I will be glad to ask her what stage things are at.

Mr. Bounsall: Could I ask a supplementary at this point? Is it clear that the teachers, represented by the Ontario Teachers' Federation, and the trustees—

Hon. Mr. Elgie: And what?

Mr. Bounsall: Are the two groups being consulted, the trustees' council and the OTF, going to be covered under Bill 70, amended to include them, or by amendments to the Education Act?

Hon. Mr. Elgie: I have not had any recommendations at all.

Mr. Bounsall: You do not know where that is at all?

Mr. Heath: The report will contain recommendations as to how the Education Act might have to be changed, how the Occupational Health and Safety Act might have to be changed, or as to specific regulations developed under the Occupational Health and Safety Act. The Ontario Teachers' Federation has indicated in a letter they would prefer to be clearly covered under the Occupational Health and Safety Act, but we are waiting on recommendations to see how some of the difficulties can be resolved.

Mr. Bounsall: Having mentioned just those two groups that are consulting, is it safe to assume there are no discussions going on, or at what point are you on the discussions, with the Ontario Council on University Affairs and the Ontario Confederation of University Faculty Associations with respect to coverage of universities in this? They have no contact at all with OTF. Their views would not be at all similar.

Mr. Heath: We are going to initiate discussions. We have had some discussions with representatives of the university sector but we have not initiated the scale, the type of discussions that we have in the farming sector, with the firefighters and the police.

The universities have indicated that they would be setting up an elaborate structure of committees, and as we understand it, they are setting up committees to deal with health and safety problems. We are hoping that once that committee structure is in place and working, we will be able to use that mechanism as a means of furthering the consultations.

4:20 p.m.

Mr. Bounsall: One final question in this supplementary: Have you had no recent communications from the Ontario Confederation of University Faculty Associations, relating to their desire to have full coverage under the Occupational Health and Safety Act, or have there been any recent communications with OCUFA?

Mr. Heath: I personally cannot recall any.

Hon. Mr. Elgie: I cannot recall any and neither can the deputy. If you have any knowledge of any, I would like to know, but I cannot recall any.

Mr. Bounsall: That is a little surprising in view of the rather urgent feelings on behalf of faculty associations across Ontario, voiced from time to time, that they be covered under the act. It is surprising to me that you are not aware of that or that OCUFA has not picked that up formally.

Hon. Mr. Elgie: I cannot recall, neither can Dr. Robinson. Certainly I have had no request to meet with them.

Mr. Bounsall: I think you may get one before Christmas.

Mr. Lupusella: Eventually.

Hon. Mr. Elgie: You are arranging it, are you?

The Acting Chairman (Mr. Rowe): Anything further, Mr. Lupusella?

Mr. Lupusella: Of course, I have another six points on Bill 70.

Committees: In the Ontario Federation of Labour discussion paper, on page 70, the federation charges that even when mandatory committees are required under the law, employers have shown a great reluctance to establish them.

For example, apparently the ministry has approved a program at Dupont which clearly denies workers the right to participate, despite the statement in section 8(2) requiring programs in which the workers participate. It is the federation's opinion that most of the joint committees set up within the health care system

are clearly in violation of section 8(5) of the act, because management has selected workers' representatives.

I would like to have the minister respond to both of these charges.

Hon. Mr. Elgie: I think I have already responded to most of them in my opening remarks, but I would be glad to go over them again.

First of all, we should clearly understand that the degree of compliance at the end of year one of the act is, I think, quite remarkable. In all areas, the degree of compliance in mining, in construction, in industrial health and safety, now ranges between 90 and 95 per cent. In early October when I spoke to Jim McNair, the director of the industrial health and safety branch, compliance was about 86 per cent and by the end of October it was up to well over 90 per cent.

That has been the story all year. In other words, people are complying with the requirement that health and safety committees be set up.

Now there have been occasions on which there is some dispute as to the appropriateness of the committee; for example at Stelco. In the Stelco situation, we took the union brief, submitted it to management, asked for their comment and gave them until the end of last month to respond. We have now had some meetings with staff to discuss a resolution of that problem and we will proceed in the way we decide.

So we are dealing with any disputes about the makeup of the committee. As you know, at Inco there was some concern about the number of visits, and so an order was issued to increase the number of monthly inspections of the work site by workers. I do not know where all these examples the federation cites and that you are citing are coming from, because I hear nothing but compliance and increasing compliance.

I do not want you to take that to mean that everything is hunky-dory in the state of Georgia, because I understand it is starting up not only a new system but a new philosophy. It is not going to be an easy one, because it involves changing a lot of attitudes. It involves the management coming to understand—we speak to management group after management group—they will have to give up some of the rights with regard to health and safety that they previously thought they had sole control over. There are a lot of attitudinal changes to take place.

I do not expect that at the end of year one you honestly think things should be rosy, but lots of things are going on and I think the indications are healthy. That does not mean I am satisfied or think it is rosy, but things are continuing to move and improve.

Mr. Lupusella: What is happening with the establishment of committees in places where we do not have the unions, for example? How is the work proceeding?

As far as I am concerned, Bill 70 is clearly affecting workers where they have a union representative. At least 35 per cent of the total labour force is in some way trying to speed up the process for the establishment of these committees because there is a personal interest in it.

What about the 65 per cent of the total labour force which is not organized by the trade union movement? Can you give us a short description about the establishment or formation of those committees, or on what is happening? And how you are trying to reach them, because this is important. In theory we have a law, but 65 per cent of the workers eventually are excluded from Bill 70 because they do not know what the hell is going on.

Hon. Mr. Elgie: That is not quite true because the degree of compliance I think confirms that health and safety committees are being set up in the unorganized sector.

Now as to the nature of committees, how they are established, I think Mr. McNair, Mr. McCrodan and Mr. Pizak—I am sorry, there are no committees in construction, so Mr. McNair and Mr. McCrodan, could you just give us some examples of what might be happening about the setting up of committees in both the organized and the unorganized sectors?

Mr. Lupusella: We would like to have just some of the highlights.

The Acting Chairman: For the sake of Hansard would you identify yourselves, please?

Mr. McCrodan: My name is Peter McCrodan. In the mining area, in the underground mines, there is about 98 per cent compliance. The other two per cent comes from two new mines that are now organizing health and safety committees.

Open pits and quarries: as far as we are concerned, they are 100 per cent set up.

There are only two operations really—well, there are six operations of Texasgulf that are exempted, but they are considered to have 133 committees. In other words, they have a full scale with everyone represented.

Dofasco is the same way. They have a very extensive network of health and safety reps within their organization. But they are both unorganized.

As far as we are concerned, we think it is about 99 per cent.

Mr. Lupusella: It is 99 per cent of the—

Mr. Armstrong: Excuse me for interrupting, not 99 per cent of the organized sector but 99 per cent of the entire industry.

Mr. McCrodan: Those with 20 or more employees.

Mr. Lupusella: What about the unorganized workers? Are you dealing with them?

Mr. McNair: In the case of the industrial health and safety area, we have a printout from our total of all the companies which have more than 20 employees.

You will understand that they change; this level of 20 employees goes up and down, and in our last printout at the end of October the total number of places that had over 20 was 6,105, and we had 92 per cent of these. A total of 5,631 had committees.

Orders have been issued to all of these others for the formation of a committee. We have called upon all the premises that according to the printout have more than 20 people and left proper instructions.

So committees are to be formed in these other 400 remaining places. They may have been formed now, but on our last information, last month, the orders had been left and we are expecting the kind of compliance the minister has indicated has progressively taken place.

4:30 p.m.

Mr. Lupusella: What about the educational process of those committees? I mean, nobody will be there. Have they instructed the committees about what they are supposed to do and what their rights are?

Mr. McNair: The whole point of the exercise is the way in which we perform our inspections. It first involves discussions with workers' representatives before they begin the actual onsite inspection of the premises. That is part of the discussion that takes place there.

Subsequent to the inspection process, another discussion takes place which points out any differences between the status report we have had from the workers' representative and what we found in the plant. They then point out the duties and what is expected of the committee in the performance of this task.

This has been an ongoing process ever since the bill was proclaimed into law, and you have the numbers for the situation as it is at the present.

Mr. Lupusella: The minister—yesterday, I believe it was—stated that unions are calling seminars to instruct their representatives about legal rights under Bill 70, and that you are providing some funds for these from the lotteries.

I don't understand the structure which you are implementing with unorganized workers. Are you dealing with them on an individual basis and calling certain committees, or is the ministry itself holding seminars?

Hon. Mr. Elgie: What I said was that in the organized sector we have funded the Ontario Federation of Labour and a couple of others to run trainer seminars, so those people may do training in the work place. But as Dr. Mustard outlined at the same time I joined the discussion yesterday, it is a very complex issue to resolve the matter you have raised; that is, how to instruct unorganized workers adequately about health and safety in the work place, and their rights and obligations under the act.

The advisory council has had meetings with all of the safety committees. It is reviewing their briefs and their comments from when they were before the advisory council for questioning, and I expect they will be giving me some advice shortly about recommendations regarding instruction in health and safety in the work place, in the organized and unorganized sectors, through the safety associations.

I also indicated some things that were under way in small business, through the Ministry of Industry and Tourism, to draw attention to people of the existence of the act. But it is a difficult problem; I acknowledge that.

Arthur Gladstone, the special adviser to the assistant deputy minister, indicated that some instruction material, audio-visual aids and so forth, was being prepared now for distribution. We are approaching it that way in trying to resolve the problem.

Mr. Lupusella: Don't you think that your officials should call certain seminars for unorganized workers to instruct them about Bill 70 and their rights? No doubt the trade union movement is doing that among the organized workers. I am concerned that the same process is not taking place among the unorganized workers.

Hon. Mr. Elgie: That is an option we are looking at.

Mr. Lupusella: There is another problem I would like to bring to your attention. If you recall, I wrote you a letter some time ago, around the beginning of 1980, in relation to a foundry which is located in my area, John T. Hepburn Limited. The residents are affected by pollution from this plant, and I wrote you a letter emphasizing the extent of this pollution within their environment.

I said, "If there is pollution outside, surely there must be pollution inside where the workers are." You sent me a reply to say that you got in

touch with the Minister of Health (Mr. Timbrell), who stated that X-rays are taken every year and that you are monitoring the situation.

I don't like this approach. I am sure there is no union in this plant to monitor the situation inside. You have to rely on X-rays taken by the Ministry of Health. What kind of approach is this?

I have been carrying on a long fight about the pollution outside. I saw the plant inside, and the walls are completely black. I wouldn't work there for \$100,000 a year, yet you send me a letter, stating that you are monitoring the situation.

Hon. Mr. Elgie: As you know, our mandate relates to the work place, not to the environment.

Mr. Lupusella: I understand that.

Hon. Mr. Elgie: Obviously you have the advantage in that you have the correspondence and the details there, unless Mr. McNair happens to remember the plant.

But monitoring means more than just someone having their chest X-rayed. As well as monitoring the individual, it means monitoring the air in a variety of places in different ways.

If you will permit me to have the opportunity to review the correspondence, I can comment more specifically. But I must repeat that monitoring does not simply mean one says, "Come and have your chest X-rayed." It involves monitoring the work place.

Mr. Lupusella: I was surprised that you would be relying on information given by the Minister of Health about X-rays taken.

Hon. Mr. Elgie: The Minister of Health has nothing to do with the inside of a work place. He has something to do outside the work place; that is the only monitoring he would be doing.

Mr. Lupusella: I will be glad to bring the case to your attention again, so you can review the situation and make sure that the right investigatory process is implemented regarding this plant. I will do that in the near future.

Next is point three, the right to refuse. The labour movement's experience in this area indicates that companies wishing to avoid the right to refuse—section 23—deal with the initial refusal as simply a complaint and move the worker to another job to avoid the investigative process and the requirement to inform any other workers being asked to do the job that another worker has exercised his or her right to refuse.

In this regard, the case of the 12 Inco workers who refused to work on a copper anode furnace last December—a decision, by the way, upheld by the Ontario Labour Relations Board—was seen by labour to be very important.

The labour relations board's decision clearly indicates that Inco contravened the act. The outstanding question, of course, is, will charges be laid against Inco? The Ministry of Labour's decision in this regard will be viewed by labour as an indication of how strongly the ministry will back up workers' rights to refuse.

I would like the minister to tell us whether or not charges will indeed be laid against Inco.

Hon. Mr. Elgie: I would remind you that the right to refuse was under previous legislation, in part IX of the Mining Act, although it was a little different. However, it only changes in that there was not a two-step procedure but a one-step procedure; there was not the "reason to believe" and so forth.

In that case the worker's right to refuse was upheld by the court. All I can say is they were right. Inspectors have the obligation to enforce that legislation properly.

Mr. Lupusella: But if they contravened this act or the previous act, you have the power to lay charges.

Mr. Armstrong: Mr. Minister, that was under section 9 of Bill 139, the interim legislation.

With respect to the question of prosecution, Mr. Lupusella, our solicitor looks at that following the labour board decision. I think the issue was raised by the Steelworkers about a possible prosecution.

Under Bill 139 the time for bringing a prosecution was six months. Under Bill 70 it is now a year. By the time the issue was raised, the limitation period had expired under Bill 139.

Mr. Lupusella: I am sure you do not expect any local of the trade union movement to be the watchdog of the implementation of statutes and laws which fall under the jurisdiction of the Minister of Labour.

If the time elapses, it is because the Minister of Labour does not lay charges in the first place. We shouldn't have to wait for the Steelworkers or any other union to push for charges to be laid. It is the minister's responsibility to do that, not the unions' responsibility.

4:40 p.m.

Hon. Mr. Elgie: Under the present act, the time limit is doubled. But that particular situation was under the previous act. There was no deliberate delay in an effort to escape the time limit, and I don't think you are suggesting that. I do not think we have shown any hesitation in prosecutions. There are several going on now.

Mr. Wildman: How does the minister respond to the recent statement by Dennis Abernot, the vice-president of local 2251 of the United Steelworkers of America at Algoma Steel, that

in the view of the union local, the Ministry of Labour has been dragging its feet in the implementation of Bill 70 in Algoma Steel?

Hon. Mr. Elgie: I am very surprised Dennis would say that because the reports coming out of Sault Ste. Marie are very gratifying. If you read your local paper, and I am sure you do—

Mr. Wildman: I also talked to Dennis Abernot.

Hon. Mr. Elgie: —you would agree with that. I have heard nothing but excellent comments, particularly with regard to the program that is going on up there, under the direction of Cliff Basken, to try to improve relationships in the work place, as well as a better understanding of the application of the act to that work place.

I have no hesitation in saying that that is not an accurate statement, particularly in that work setting.

Mr. Wildman: I will get you the clipping and you can respond to it.

Mr. Lupusella: Given the limited time involved, Mr. Chairman, I would like to move on to point four, the right to know.

It was clearly indicated in the workshops on Bill 70 at the Ontario Federation of Labour conference that the reality in the work place is that workers are being exposed to thousands of chemicals and no one in the plant knows what they are. Whenever members of my caucus tour industrial plants, similar kinds of complaints are always heard.

It seems to us that a simple way to resolve this problem would be to make it mandatory for management to supply worker representatives with the generic names, the chemical composition and—this is very important—the known health effects that exposure to the substances may cause. I would like the minister's response to this suggestion.

Hon. Mr. Elgie: I will ask my deputy or Dr. Robinson to comment on the situation under Bill 70.

Mr. Armstrong: Perhaps I could begin by saying that section 15 of the act provides, among other things, for the passing of regulations requiring employers "to keep and maintain accurate records of the handling, storage, use and disposal of biological, chemical or physical agents."

What we call the general health regulation is now in an advanced state of preparation. We hope very soon to have a regulation that will address, in very specific terms, the specific question you have mentioned.

Do you have anything to add to that?

Dr. Robinson: Only that in the course of normal investigations by the industrial health

and safety branch—for example, if there is any concern about a chemical whose composition is in doubt or hidden behind a trade name, this will be raised with the inspectorate. If the answer is not available, it is sought, either by submitting a sample for analysis or following through, requesting the manufacturer to disclose the composition. I think that information is being made available where it is asked for.

If there is any further problem, clearly, we would like to know about it.

Mr. Lupusella: I am sure that if the Ontario Federation of Labour made this allegation, they have examples of how Bill 70 is not enforced.

You also stated, Mr. Minister, that you have inspections taking place in different plants. I am sure they can take a look at the storage of chemicals and so on.

Hon. Mr. Elgie: They do.

Mr. Lupusella: Are they doing this job in such a way as to make sure that management complies with the act? Why is the Ontario Federation of Labour complaining about it? I am sure they have clear cases in which management is contravening the act. I am sure they are criticizing the enforcement process of your ministry.

Hon. Mr. Elgie: Mr. McNair, could you come up and tell us about the role of inspectors in the work place, particularly in this regard?

Mr. McNair: There is no doubt this is a problem in the work place, getting to know what materials are there. The process has been taking place as our inspectors do their inspections or as they get complaints from a union that they are unable to get information.

We have gone in and discussed it with both parties and given them an outline of the kind of information they should be collecting and distributing to the workers of the plant. I could give you several examples of companies where this difficulty has arisen. Mostly, it was a case of getting the information from their suppliers but even that is breaking down, because I said, "You know, you have a very gentle reminder you can give them; their next order is based on that information being available."

As far as I know this kind of information flow is taking place. I could mention several companies by name, but I do not really want to. It is taking place and I am surprised there is someone who is not getting information, because I have had no one contacting me to say, "We do not have information on this."

Mr. Lupusella: Maybe because you are using the gentle approach with management.

Mr. McNair: I have never been accused of that.

Hon. Mr. Elgie: I wish I were getting the complaint that he is too gentle from management. I am not.

Mr. Lupusella: Again, the principle involved in this particular clause is that the union should not be the watchdog over what is going on. You have inspectors going around the province, inspecting different work places on a daily basis. I am sure the management has to comply with the rules under the different sections of Bill 70.

I want to speed up the process, Mr. Chairman, because I know some of my colleagues would like to get into the issue of human rights.

On point five, the enforcement: In the health and safety conference discussion paper on Bill 70, a very serious charge is made by the Ontario Federation of Labour. I will quote the relevant passage:

"There appears to be a total lack of a commitment to enforcement on the part of the ministry. A law is only as strong as the government's will to impose it." The example described in support of this charge is a serious accident at the Westinghouse Canada, Beach Road plant in Hamilton in November 1979. In this accident a 23-year-old employee was blinded in an explosion of a drum supposedly containing an industrial detergent.

"Ministry inspectors investigated and found the company free from guilt and any violation of the law. No charges were laid. The victim's family was told by the ministry that the file was closed.

"However, a union health and safety representative, Stanley Gray, of local 504, United Electrical Workers, undertook a complete investigation under section 8(9) of the act. He submitted a 45-page report detailing the accident and the unsavoury practices involved.

"Four weeks after the union report was submitted to the ministry, charges were laid against the company and the supervisor under sections 14(1)(c), 14(2)(g), 16(2)(a) and 16(2)(c).

"This case and others like it are being interpreted by liberal people as an indication that the ministry does not take enforcement seriously enough."

I would like to know what the minister has to say about this specific case and whether or not he considers the act to be in operation. Is this the exception which proves the rule again?

We mentioned the gentle-touch approach with the management. Here we have a clear indication that the law is not enforced properly. 4:50 p.m.

Hon. Mr. Elgie: First of all, in a general way, the statement that ministry inspectors are not enforcing where appropriate, is not accurate. I

have heard complaints that the internal responsibility system may not be working as well in some situations as in others. One of the primary duties of inspectors is to try to see that does get working. But I do not see, in the reports I am receiving, any problem with a lack of willingness to enforce the act.

In that particular case, Mr. McNair, do you know the details?

Mr. McNair: I know some of the details but it would be most unusual if charges developed in four weeks. I know this information was already up in the legal branch before we received a copy of the information from the union representative.

We had already referred this matter to the legal people and it was as a result of that reference the charges were laid. It was not as a result of the letter which came in, although that information was made available.

Some of the other information about us having told—the information was there. I do not know the source of that information. They have not been able to track down anyone who could give that information.

Mr. Lupusella: Eventually I can get in touch with the United Electrical Workers to find out more about it.

Mr. McNair: I have read that report which was made by Mr. Gray, but the matter had already been referred to the legal branch prior to receipt of his report.

Mr. Lupusella: They state that after the report had been submitted to the minister, charges were laid. I do not want to be the arbitrator of this dispute. I can get more information and I can convey your concern to the union, and get a reply from them.

About the internal responsibility system, point number six: Labour's position is that the reliance of the Minister of Labour on the internal responsibility system, to ensure ethical compliance by both labour and management, is misplaced. As we all know, where health and safety committees are required under the act they are purely advisory, with management, therefore, maintaining veto power. The ministry's reliance on the internal responsibility system, together with labour's powerlessness ensured by the advisory nature of the joint committee, often have tragic consequences.

An obvious example is what happened at Algoma Steel Corporation at Sault Ste. Marie on September 10, 1980. A worker was crushed to death because of improper lookout procedure. The United Steelworkers union had complained of this unsafe practice to the ministry in the spring, but the Labour ministry stated that although they agreed with the union stance and

that lookout maintenance was a requirement of the regulations, they did not act because disagreements about safety practices at Algoma Steel were being worked out through the internal responsibility program between the union and management.

The question that labour and our caucus is asking the minister is how many more deaths will it take until the Ministry of Labour understands that ethical compliance is not a substitution for tough enforcement.

Do you have an answer to this particular question?

Mr. Wildman: You have laid charges but it was after the fact, obviously.

Hon. Mr. Elgie: You would not want to lay the charges before the fact.

Mr. Wildman: No, but that relates to the question I raised earlier about what Abernethy was saying, that perhaps that would not have happened if you had not been dragging your feet previously.

Hon. Mr. Elgie: I do not accept that we were dragging our feet. That particular death, as you know, prompted two things. Firstly, a number of charges were laid. Secondly, there was the establishment of an in-service training program, headed by Cliff Basken, to try and clear up, or attempt to clear up, the situation we deemed was not satisfactory with regard to the internal responsibility system.

I do not accept your view that there was some negligent disregard by inspectors in that case and I think we responded very appropriately. It does not mean that one is ever happy that there is a fatality. But the important thing is that we try to deal with situations appropriately and this is what we are endeavouring to do.

Mr. Wildman: I was not referring to the inspection process. I was referring to the process of getting the whole thing on the road, the whole Bill 70 operation.

Mr. Chairman: Mr. Lupusella, I would suggest to you that perhaps we could wind this up. We only have an hour and 25 minutes left and there are quite a number of members who wish to speak on the human rights vote.

Do you think you could wind it up? We have been an hour and almost 10 minutes on this. Could we wind it up?

Mr. Lupusella: I have just one point which I was planning to elaborate on, which was the designated substances. I think human rights is an important vote, so I will decline conveying the extra messages to the minister. I am sure I will have extra opportunities in the Legislature to talk about it.

Hon. Mr. Elgie: I think we went into designated substances in great detail when Dr. Mustard was here too. I think the record will show a pretty thorough discussion of that.

Vote 2404 agreed to.

On vote 2407, human rights commission program:

Mr. Chairman: On this program, Mr. Roy, Mr. Johnston and Mr. Renwick are the order of speakers I have so far.

Mr. Roy: I am very happy to see all of these people just waited to hear Mr. Lupusella. When he said he was finished they all left.

Mr. Chairman: Dr. Crittenden, the chairman of the Ontario Human Rights Commission, is with us, and Mr. George Brown, the executive director. Perhaps you will make yourselves comfortable at the table. I am sure there will be some questions.

Mr. Roy: I am pleased to have an opportunity to make a few comments on this vote. I am not one who has had lengthy experience in the field of labour, and not having had the opportunity of sitting in on any Labour estimates in the presence of this minister, I appreciate the opportunity, having witnessed the exchange which was going on during the previous vote and to have kibitzed with the minister a little bit about our future relationship in this place.

5 p.m.

I can assure the minister that my usual good humour, common sense and objectivity will continue and I hope to be able to work with you and be in a position to advance the cause of human rights in this province. I was asked by my leader just a few weeks ago to make some contribution in this area.

Obviously I have not had lengthy experience in this field, although I have had a great interest. I look forward to working with members of the commission, especially when important changes are going to take place, as announced by the minister this afternoon.

The chairperson, Dr. Crittenden, asked me earlier when we were out in the hallway how long I had been around the Legislature and she mentioned the filibuster that took place in 1959. I have not been around quite that long, but I can assure you it is not our intention this afternoon to filibuster anything.

Because of my limited experience or my limited knowledge of the matters discussed under this vote, I would like to avail myself of the opportunity to make a few brief comments on what I consider to be the most important aspect of human rights in this province; that is, the changes you proposed in your statement this afternoon.

I think this is an extremely important area because of the nature of this country and especially of this province. We have seen it in this province and in this city. We have seen the changes that have taken place in this province over the last 15 or 20 years.

People keep talking about WASP Toronto, WASP Ontario. People keep talking about having more sympathy with minority groups. Basically, this province is now a province of minorities. The aspect of human rights becomes increasingly important when we see that as the city gets bigger and as economic situations change certain pressures come forward.

Very often, especially when we have something of a right-wing trend, there is a tendency to look for a *bête noire*: Who is causing this? Who is the culprit? Who is the party responsible for our problems—whether it be in the field of economics, whether it be in the field of unemployment, and so on.

I look forward to participating in these matters. I would like the opportunity to make a very few brief comments as to what I have been able to gather from your statement, Mr. Minister, and what I have been able to read in the bill that was presented for first reading in the House this afternoon.

The first thing that strikes me is that I do not see anything in the legislation or in your statement which appears to have accepted the proposal made in the report called *Life Together* about making the commission autonomous. I may have missed something and maybe the minister can help me on this, but I do not see anything in there that seems to accept the principle suggested in this report.

In the report it was suggested that in spite of the fact the commissioners did not feel they did not have a substantial degree of autonomy, there was a perception out there that the autonomy should be more obvious, that there should be no association with any ministry, be it the Ministry of Labour or any other ministry.

It was suggested—and I am now reading from page 29—"For the same reasons, it is not appropriate for the Ontario Human Rights Commission to become a branch of any other ministry. Some distance needs to be placed between the commission and officials in all the various arms of government against whom it may have to receive and investigate complaints." It also says it has concluded that, "it is no longer appropriate for it to continue as a branch or division of the Ministry of Labour."

I am sure this will be discussed when we get into the bill, but I thought I should take this opportunity to mention it. The minister may well correct me. Am I wrong?

I have just read the legislation very quickly, Mr. Minister. Is there anything in here that would seem to accept the proposition that it is no longer appropriate for it to continue as a branch or a division of the Ministry of Labour? Is the commission going to continue in the same way it has in the past, as a division of the Ministry of Labour?

Hon. Mr. Elgie: Obviously there has been no final decision on this, but if you read the act it has now deliberately eliminated the phrase "Minister of Labour." It now refers to "the minister." In other words, in line with the recommendations of Life Together, the Premier and the executive council may now delegate the reporting relationship of the human rights commission to whatever minister the Premier deems appropriate from time to time.

I am sure you know the reasons why in the past it has reported through the Minister of Labour. The majority of the human rights problems that arose in the past—and to some extent this is still the case—were related to areas of responsibility within the Ministry of Labour: handicapped employment programs, employment in general and the research facilities the ministry has which go along with that. Therefore, it seemed reasonable and logical that the two have some relationship.

I know there are those who say that time has passed that by and that perhaps a different reporting relationship should be made available. I think we have recognized that that option should be made available to the Premier through the executive council if he deems that such views are valid ones, so the act now will allow a change from time to time, should circumstances and the decision of the government change.

Mr. Armstrong: I would add, Mr. Roy, there is another significant change. Under the previous code, as you know, the commission acted as a screening body for complaints received by it, and then, if it was of the view that the complaint ought to be dealt with by a board of inquiry, the adjudicating tribunal, and then the commission would make a recommendation to the minister. Then the minister, exercising his discretion, would act or otherwise, depending upon his own assessment of the commission's report. Under the new code, the commission is given the power to appoint boards of inquiry itself. That, I think, is a significant change.

The other general comment I would make is that while I appreciate that Life Together spent some time on the question of autonomy, the provisions of the proposed legislation, as well as those of the previous legislation, provide for the appointment of the commission by order in

council. This is in all respects—and was—the same as, for example, to use an analogy, the Ontario Labour Relations Board, and, indeed, many other tribunals of government.

I do not think it has ever been argued that the labour relations board is lacking in autonomy, neither do I think it is argued with any degree of persuasion, so far as I am concerned, that the commission is subject in any way to ministerial—and by that I mean by either a minister or the ministry—intervention in its proceedings. I think there is agreement by all concerned that there is a need for the commission to be autonomous, and I think that is in fact the practice.

Mr. Roy: What you are saying, basically, is that you do not accept the suggestion made in Life Together that, in spite of the fact that the human rights commission and the commissioners have felt they have had a good association with the Ministry of Labour, "it is no longer appropriate for it to continue as a branch or division of the Ministry of Labour."

What they are saying, basically, it appears to me—and I think we understand each other—is that there are some things you have to do in legislation or in law which are for appearance's sake. If you are going to strive to ensure that the public has full and complete faith in a particular body, some of the things you have to do sometimes are more form than substance, more show than reality.

I do not have sufficient experience to know whether that has been a serious problem. All I am saying is that I go back to this report where they say it is time this association with the Minister of Labour stopped. Then they go on to say the commission should not be associated with any branch of any ministry.

5:10 p.m.

Just responding to Dr. Elgie's earlier comments, even though part V of the act says, "In this act . . . 'minister' means the member of the executive council to whom the administration of this act is assigned by the Lieutenant Governor in Council," that would not seem to conform with what was suggested on page 29 of the report Life Together.

I am asking, basically, if it is not possible for the commission to be completely autonomous. Why is it necessary, in order for it to function effectively, that it be associated with any ministry? What is the necessity? I understand the past, that that is how something evolves and is built, but why is it necessary today?

Hon. Mr. Elgie: I think you have raised part of the thing yourself. It is my view that it is a perception, more than a reality, that there is a lack of autonomy.

Some things have occurred since that report was written. For instance, the human rights commission now does prepare an annual report which is tabled in the Legislature and which is subject to review by the Legislature, and the human rights commission now appears before a committee to answer questions from you and from members of other parties. There have been some significant changes in the practice that enhance the real independence of the commission.

It is certainly not unusual, as the deputy has said. There are a variety of other tribunals, like the labour relations board, which are attached to the Ministry of Labour and which are acknowledged to have a great degree of independence; indeed, they are totally independent. I do not think it is entirely a valid complaint.

I think we have adjusted to some of the realistic complaints in the way I mentioned. I think the new code offers things that further ensure the independence of the commission, such as its right to determine whether a board will be set up or whether a board will not be set up. In addition to that, under section 25(e) the commission now is given the authority "to examine and review any statute or regulation, and any program or policy made by or under a statute and make recommendations on any provision, program or policy, that in its opinion is inconsistent with the intent of this act." They now even have the authority to comment on government statutes, policies, programs and regulations.

I think that is a fair degree of independence. I do not think anyone who goes through the whole process would say they are not independent.

Mr. Roy: Obviously you and I disagree. I can see that right now. I still feel there may be a perception out there, so that if people feel the commission is not fulfilling a particular role—and it may have some valid reason for doing that—they may say, "Obviously it is not going to criticize this particular program in the Ministry of Labour"—or in the Ministry of the Attorney General, should it be associated with that—"because it is part of that ministry." That is all I am saying to you.

I have great faith in the commissioners. I know the then chairman of that commission, Tom Symons, whom I have seen working in other capacities for this government. He looked at this situation and he felt it was time the final step be taken to create a fully autonomous commission.

The other matter I wish to talk about also involves what I consider to be the importance of this whole subject, this bill. There are a lot of

things, obviously, with which we fully agree and I do not want to take up too much time stating them, but it seems to me one of the major things is the primacy of the legislation. Obviously that is going to be extremely important and we fully support it.

Again, as one who has limited experience in this, I walked out of the Legislature and the press came rushing over after you had made your statement, and the first question asked was, "What about sexual orientation?" That was the first thing asked.

I have been around this place long enough; I think I am politically astute enough; I have gone through three elections now and I have seen what has happened to various individuals in political life. I just witnessed a mayoralty election here in Toronto. I know there is some apprehension in talking about this.

Again, I go through the legislation and I see there is nothing on this. I ask myself again, is there a problem, and of course I do not have to read to you all of the statements made by the report, *Life Together*, except to make a couple of corrections. It says at one point on page 81, "As yet, no human rights legislation in Canada protects homosexuals from discrimination based on their 'sexual orientation'." I understand that the federal act now protects against that.

Hon. Mr. Elgie: No.

Mr. Roy: No?

Hon. Mr. Elgie: Quebec does.

Mr. Roy: I knew Quebec did, but is Quebec the only jurisdiction? Okay.

Hon. Mr. Elgie: Saskatchewan does not have it either.

Mr. Roy: I am not here to defend Saskatchewan, I think you should know that, although I am a former resident of Saskatchewan.

The report states at page 82—and again, these are knowledgeable people—"This is deplorable in a society which claims, as its public policy, that 'every person is free and equal in dignity and rights'." Finally, they go on and they recommend that "the Ontario Human Rights Code be amended to extend to homosexuals the same protection against discrimination which is provided to their fellow citizens by including sexual orientation as a ground on which discrimination is prohibited by the code."

I must tell you I have not been one of the more active people in this area of human rights. I have exchanged correspondence with groups from my riding in the Ottawa area. I have always wondered whether, in fact, it was a real problem or not, but it is obvious, from the authors of the report, that there is a real problem. Since that time, of course, some of my colleagues have

brought various matters to my attention. So there is a problem and it has to be corrected. That is what this report says, it has to be corrected.

How do you go about doing it, because, again, this is an area where everyone is so touchy? I thought it was interesting; when we were in Quebec with our constitutional committee, I talked to some of the people down there and was asking about the relationship between their human rights code and Bill 101. One of the things we talked about was, "How did you go about it in Quebec when you enacted this thing, without having a revolution on your hands?"—because, first of all, you are talking about a basically Catholic area.

I can remember back in 1968 when Trudeau made that famous comment about the state having no business in the bedrooms of the nation, I can remember Caouette, who was then leader of the Social Credit Party, representing of course the farming community, just had a field day with that. He used to talk about this weirdo, Trudeau, who was going to allow these homosexuals to take over. He had a famous comment about using "the little whip on the behinds of some of these homosexuals." He used to draw great laughter from audiences in Quebec and we are talking about 1968.

So if there is a jurisdiction which could be exploited and in which you could really have a backlash because of the Catholic background and the religious indoctrination of that area, it would be Quebec, and I was interested in how they went about this. As you know, Mr. Minister, they made an all-party agreement. That meant it was passed with very little discussion in the House.

I asked one of the members down there, one of the fellows I talked to who was a former Solicitor General in Quebec, Lalonde: "Have you been getting correspondence, letters, people taking serious objection to this, the church? What is happening?" Nothing is happening.

The point I am trying to make is could we not have done something like that here? I appreciate it is a touchy subject and it is going to be exploited. What I am saying to you here today is going to be used by people in the next election. I would hazard a guess that maybe someone is going to take this, maybe my Conservative opponent—I do not want to point the finger at anyone, but it is going to be used by people; some people are going to use it and say something like, "The Liberal leader is for homosexual rights just like this stupid character, John Sewell, here in Toronto," and they are going to exploit it.

5:20 p.m.

Yet there is a problem. We know there is discrimination; this report says that there is discrimination. I know you have a problem in your caucus, and I have a problem in my caucus and it cannot be 100 per cent in the NDP caucus either.

Mr. R. F. Johnston: It is close.

Mr. Roy: My friend Johnston says it is close. The question remains whether an attempt had been made to get sort of an all-party agreement. We have worked out deals before. You worked out a deal with the NDP involving automatic checkoffs and things like that.

Hon. Mr. Elgie: You supported that.

Mr. Roy: In fact, the deal was so airtight that we brought forward legislation to stop scabs and they even voted against it.

I am saying to you that an agreement of some kind could have been worked out whereby no one tries to exploit this particular issue. It may be funny in some circles, it may be exploitable in other areas, it may be embarrassing to some people during an election campaign and I have as tough as riding as anyone, I suppose, to explain the situation.

I have seen some of my colleagues who have had meetings with some of these associations, and I want to make it very clear that sometimes they are not that easy to work with. I can recall the frustration of some of my colleagues in the Liberal caucus after meeting with some of the groups here in Toronto who were extremely annoyed that their position had been distorted, and that has happened on different occasions.

The fact remains that there is a problem. This report said there is a problem and that we in Ontario should do something about it. I could go back to your statement here where you say something along the lines of "they first rectified their hearts." That is one of the tough issues we have to face.

I am saying to you there is a way of rectifying that problem without the exploitation of one party or the next. It seems to me we are avoiding the issue. If a jurisdiction like Quebec can correct that problem, surely we, in Ontario, who are supposed to be leaders—in fact Ontario is the first jurisdiction to have such a code—should not allow any situation in Ontario which, as the report says, allows blackmail and intimidation in the work place.

So I am saying to you I would hope that we could find some way to rectify what I consider to be a serious flaw in the code.

There are a number of other things that I could have talked about on this vote but I think I should allow my colleagues an opportunity to make comment.

Mr. Renwick: Mr. Chairman, I appreciate the opportunity to participate briefly in these estimates about rights. I want to limit my remarks basically to the Ku Klux Klan and to the literature disseminated during the last municipal election in Toronto with respect to the gay community.

What I want to know, Mr. Minister, and I would like to have it from you and I would also like to have the comments of Dr. Crittenden and Dr. Ubale on the matter, is what exactly is the position of the Ontario Human Rights Commission with respect to the Ku Klux Klan? What are they doing? What is the goal they have with respect to the Klan?

I want to preface it only very briefly by saying—and I am quoting from a letter which appeared in the press—“that the governments of various levels in Canada have been saying the Ku Klux Klan should be allowed to organize in Canada under the façade of protecting its democratic rights in Canada to speak and organize.

“The KKK exists for the sole purpose of attacking the people, their rights and liberties. Simply because the KKK is using some sugar-coated phrases in Canada does not change its racist and fascist nature.”

It goes on to speak about the Second World War and the millions of people in the world who fought in the Second World War to put an end to racism and the fascism of the Nazis and the fascists and so on.

“The aspirations of the people in Canada today are not to permit racists and fascists to organize in Canada, regardless of the pretext. This is the only way to deal with the KKK and the people are determined to stop the KKK from organizing in Canada.”

We have all seen the typical response which has appeared in the press that if Canada is to remain a democracy, it must continue to allow the expressions of all kinds of opinion, as long it is done within the framework of the law. You get a similar type of comment in the press that somehow or other if we just suffer it long enough, it is far better to refute this sorry bunch in the marketplace of ideas. Truth and knowledge are the most powerful vaccines to immunize our children against the disease of inhumanity and racism that the Klan seeks to spread, and we get hung up on that kind of traditional view.

I simply want to say that whatever thought I have been able to give to it, and I don't presume to have completely thought the whole matter through, I find it extremely difficult in a society such as ours to accept the traditional nineteenth century version of freedom of expression, where

the sole purpose of the organization concerned is to destroy the fundamentals of the society in which we live by attacking the dignity of people in our society. It is certainly contrary to the expressed policy of this government, the expressed views of the Legislature of the province.

I can only express my deep concern about it, because I have been subjected now—going back almost to the time when I first became a member of the assembly, I have had the misfortune to have had Donald Andrews and now McQuirter and Armand Siksna and Greenland live in my riding. The address is on Dundas Street East. I have seen every version of them. I have seen them from the Edmund Burke Society to the Western Guard Party to the Ku Klux Klan to whatever it is. I happen to have them there. They may have moved to Yonge Street, but they got kicked out of Yonge Street and I believe they own the property on Dundas Street East in Toronto. So we are very much faced with it.

Riverdale, as distinct from Beaches-Woodbine, as distinct in a significant degree from perhaps other ridings, but not totally distinct, is a mixture of many peoples from many lands, here in Canada varying lengths of time, all of whom have managed to live and do live with a high degree of mutual tolerance. To be subjected to this kind of literature in the Riverdale area seems to me to require a positive response from the Ontario Human Rights Commission with respect to this matter.

Let me just quote what the Klan stands for: “The white race, the irreplaceable hub of our nation, our Christian faith and the high level of western culture and technology. No person is allowed in this movement who has not enough honour to assume a real oath and keep it inviolate. No person is allowed in this movement who cannot pledge himself to the protection, preservation and advancement of the white race. No person is allowed in this movement who cannot practise real brotherhood towards all his fellow Klansmen. Only white, nonJewish citizens at least 17 years of age, who pledge to dedicate their lives to this cause can enter the Knights of the Ku Klux Klan” and so on and so forth.

They even, now, as distinct from the 1920s, have a special phrase in here, “Catholics as well as Protestants who believe sincerely in our doctrines are eligible for membership.” Then there is a whole lot of absolutely intolerable nonsense, called “On the Negro question,” with respect to black people, or people of other than the so-called white race.

5:30 p.m.

In my riding the Riverdale Intercultural Coun-

cil has established a committee, the Riverdale Action Committee Against Racism. We have put out a very reasoned statement, although the title may sound a little dramatic—Smash the Klan—asking: Is the Ku Klux Klan active in Riverdale? What is the Ku Klux Klan? What is its origin in history? Why Riverdale? What are the Klan's goals in Riverdale and in Canada? What various things does it stand for? What can we do?

Let me read what the Riverdale Action Committee Against Racism is trying to say: "Everyone, not just members of minority groups, stands to lose if the Klan is allowed free reign in Riverdale. No one ever gains anything from the promotion of racist bigotry.

"Many Riverdale residents are veterans of the Second World War. They remember fighting against facism and racism in Europe. No one who recalls the Second World War can ever allow any group to organize that fosters a climate of hatred against select groups of people.

"Not only minority groups but our entire community must unite against the KKK. The Klan must be forced to see how strongly the community opposes its presence and actions. We must tell them in no uncertain terms that they are unwelcome in Riverdale. We must work together for a strong neighbourhood with a variety of ethnic people with equal rights and opportunities for all. This way we can begin to solve our huge economic, social and political problems.

"Here is what you can do: (1) Speak out against all acts of racist behaviour that you see and hear about. Don't be silent. (2) Talk to your neighbours and friends. Give them this leaflet and ask them to join you in protesting racial discrimination and violence. (3) Take an interest in what your local school is doing to counter racism. (4) Call the Riverdale Action Committee against Racism. Volunteer to help organize events and education to fight racism."

On November 1, both the Sikh temple and Eastdale Secondary School in Riverdale had a whole afternoon devoted to a cultural educational activity for the whole of the area in an endeavour to indicate the kind of positive response the people in the area are trying to achieve.

I have gone on at some length, but I do want to perhaps make the point, so the minister can respond to it, and read, if I may, the petition concerning the KKK initiated by this committee in my riding, with which I associate as often as I can attend their meetings. It reads as follows:

"Whereas the KKK is attempting to establish itself in Canada as evidenced by the opening of

offices in Ontario and western Canada, the distribution of racist literature and alleged attacks on blacks and south Asians and the burning of crosses;

"Whereas the KKK set up a Toronto office in the Riverdale community;

"Whereas the KKK throughout its long history has come to represent racial hatred, terror, murder and anti-Semitism;

"Whereas the Riverdale community is multiracial and multi-ethnic and opposed to any attempts to divide and weaken its people;

"Whereas the Riverdale community upholds guarantees to freedom of speech and other freedoms but denies that these freedoms may allow anyone to incite racial hatred and terror,

"We, the undersigned residents of Riverdale: (1) demand that all levels of government use every means at their disposal, including the strict enforcement of existing legislation, to prohibit the KKK from carrying on its racist activities; (2) deplore government inaction in the face of the KKK's clear violation of human rights; and (3) pledge ourselves to uphold the right of all people of all races to live in Riverdale with dignity, freedom of opportunity and freedom from racist abuse, intimidation or assault."

I just wanted to express to the minister the concern, which I am sure is shared elsewhere, but also the response of the Riverdale community to this. I now want to ask the minister, before I go on to the second topic, what specifically is being done. Specifically what has and is the human rights commission doing? What does it intend to do about this problem?

Hon. Mr. Elgie: If I might, I would ask Dr. Crittenden and Dr. Ubale to comment on the commission's reviews and its response to this issue, which I think offends all of us equally.

Dr. Crittenden: Mr. Chairman, when we first became alert to the activities of the Klan in the summer, we tried to monitor what it was doing. We became quite convinced that it was already a menace to the community. The commission was concerned not to give it more media space than it was getting. At the same time, we wanted the people among whom it was driving for recruits to know that we would help them with information.

We issued a statement—it was not a large statement but it went throughout the whole province—saying that if principals knew of recruitment in their schools they should let us know and we would send officers to them to help carry out educational programs.

As a result of that initiative, Dr. Ubale proceeded to get in touch with all the directors

of education. I will turn this over to Dr. Ubale to tell you how he is proceeding at the present time with the meetings throughout the province.

Dr. Ubale: Mr. Chairman and members of the committee, I share your concern about the KKK. The day they opened an office in Toronto, I made a public statement saying they were not welcome in this province and that we would not tolerate their existence.

There are two issues. One is what we can do legally, and the second is what other alternatives we have. We have been having discussions with the Attorney General's office and others to find out whether there is any legal provision to take action against the KKK, and the Attorney General has gone on record explaining his position and the problems he is encountering with this.

The alternative is to educate people, to inform them. You will be glad to know we are closely associated with your Riverdale council. In fact, my assistant constantly attends the meetings of the Riverdale Action Committee Against Racism. We have been helping various groups.

We have been explaining through our media contacts, as well as to the community groups, where we stand on this issue and how they should deal with the KKK. Again, in the absence of any legal power there is very little one can do except to educate people in a much more positive way.

Last week I had a meeting with all the directors of the boards of education in Metro Toronto as well as in Peel region. We also invited representatives from the Attorney General's office and the Metro police. We had the police, the Attorney General's office and the boards of education, and we discussed how we can deal with the KKK, especially with reference to the distribution of hate literature on school property and on the sidewalks. Those representatives were able to explain the legal problems. At the same time, they explained to them how they should enforce the existing trespass laws.

We have decided now to monitor it. We will be in touch with all directors of boards of all schools in Metro and elsewhere in the province to monitor the activities on school property. If they have any problems we now have a suitable mechanism through which they can contact our office and we will give them assistance, help, whatever the requirement may be.

As I said, we will also be conducting various

seminars in schools to promote racial harmony. But this is all we can do at this stage, given the absence of any legal provisions to deal with it.

5:40 p.m.

Mr. Renwick: I just want to respond very briefly to that response.

I have no quarrel with the specifics of the things you indicated you have undertaken. By coincidence, the estimates of the Solicitor General are tomorrow morning and I let them know at the last meeting of the justice committee that I would be raising the question of the Klan and this second question in those estimates, if all goes well.

I want to talk about this question of what is now being said, that we must not give them any more publicity than they are already getting. I have heard versions of that from a lot of people. A lot of people whose views I respect hold that view.

My answer to that is that I no longer accept that that statement gives us the privilege of not responding very positively and very directly about the Klan—not with regard to educational programs about racial tolerance and so on and so forth, but with a specific public statement with respect to the Klan and its operations, an information program directed toward what the Klan stands for.

I asked our library to get me some information. I had a general knowledge about the Klan, but they produced quite a lot of information. Just a runthrough of the index of the New York Times indicates a great deal of information. There are half a dozen books out.

My problem is that isolated statements by the Minister of Labour, the Premier (Mr. Davis), the Attorney General (Mr. McMurtry) or the chairperson of the Ontario Human Rights Commission and so on is no positive answer to the problem we are faced with.

I happen to use public transportation. I was hoping that on some morning I would find there an Ontario Human Rights Commission advertisement explaining the Klan and that it is contrary to the ideals and beliefs of this society, its government and the people who represent the people of Ontario. I was hoping to see a series of planned advertisements, a campaign, not just in the public transportation system, to positively and effectively take on the Klan and what it stands for.

You have the resources. You have the historical information. You can carefully and clearly and accurately depict for people the history of the Klan. There are thousands of people in Toronto who do not know anything about the Klan and its background and its tradition and all the rest of it.

The government uses public relations firms for preparing ads of one kind or another, runs them and bears the cost of them. I am urging that there be that kind of response. Leave the legal part of it to the Attorney General and the Solicitor General. We can deal with that question there.

Is there not some way in which funds could be made available? You advertise in many other ways in that more or less positive, affirmative way. Why cannot the government take on the KKK by accurately depicting in advertisements, in a planned program across the province, what it stands for?

That is what I want to see. I have not yet heard anyone tell me why that is not a possible and positive way of getting across to people not only what kind of organization it is but that it is not tolerated.

I find it extremely difficult to hear of people allowed to attack the dignity of other people and think that somehow or other the response is an educational program in this place or that, or a legal program somewhere. I would like to see an appropriate response, publicly, with government funds; an advertising campaign, carefully done—as many of the PR programs of the government are done—to answer the Klan.

Then let the chips fall where they may. If the truth will out, that's fine. If the truth won't out, there is nothing much we can do about it. But to my mind, it is being allowed to fester continuously in society and we get these intermittent responses, or we get responses which should be ongoing anyway; that is, the educational programs about tolerance and that kind of thing.

I believe my question is really directed to the minister. Will you consider such a program of public advertising about the Klan?

Hon. Mr. Elgie: First of all, if the commission feels that is an appropriate route to take, I would support it on that route. I would like to hear what Dr. Ubale feels about that approach, because obviously he had a concern about giving them too much publicity. But there is a lot of merit in what Jim Renwick says: Society sometimes has to stand up and say where it is. St. John said it in his first epistle very clearly. He did not have any hesitation.

Dr. Ubale: No. My position on publicity—as I said to you, the day on which they announced their establishment of an office here I made a statement.

There are two schools of thought. In the early 1960s people in the United States went through the same exercise we are going through today. Even at that time there were some people who advocated, "Let us not give them publicity."

Even by doing this, even today we are beginning to find that the KKK has increased its activities in the United States. Just keeping silent is not desirable. Therefore, I will go by what you have been saying, that we should be meeting them head on.

The problem is the KKK is very sophisticated. It is not now like it used to be, say, 20 years ago. The moment we begin to take direct action against the KKK or use publicity against its activities, it assumes a different name. The name it is assuming now is the Association for the Advancement of White People. What can you do with that, if they come under the guise of that name, not advocating hate but just doing promotional work? That is the same.

Mr. Renwick: May I interrupt, Dr. Ubale? Let me just read this to you:

"On the Negro question: The Knights of the Ku Klux Klan does not consider itself the enemy of the Negro race. The only way both races can develop their full potential and culture is through racial separation. The Klan will oppose integration in all its manifestations, including the high black crime rate, racial intermarriage, the destruction of our schools, lowering of labour standards, et cetera.

"Men and women are drawn to our movement every day from all parts of the nation and from all corners of the world"—and so on and so forth. "Why do these people not realize . . . ?" "If we did not stand up honestly . . ."—and so on and so forth.

"Today many people have experienced the blacks firsthand and have seen the marked differences between the races. White people simply will not buy the 'equality' propaganda any more and have begun to doubt some of the anti-Klan hysteria that they have been fed in school and from TV and movies," and so on. "Once people understand that the KKK is simply a movement of white people for the highest standards of western, Christian civilization and that the KKK won its first struggle—they naturally turn to it as the answer to today's crisis."

I recognize that there are some who would call that subtle. I do not call that subtle. I call that a direct attack on what we say we stand for. I know, Dr. Ubale. I have heard both sides of the question.

5:50 p.m.

When John MacBeth was the Minister of Labour I faced up to that question. That must have been goddam near 10 years ago in this same committee when it was then the Western Guard or whatever. I read into the record the

literature that was being put out about the east Asian people and it stands in the record of the House.

I am simply asking you to face up to the two sides of that question, to make the choice on the side I am emphasizing because I am sick and tired of attempts to transplant nineteenth century English ideas of racial tolerance to a society such as ours where they just do not apply.

I cannot say to myself that I allow them to organize because I know the truth will out; I allow them to organize because somehow, if I do not let them attack the guts of my society, I in turn am destroying the society because I fight them. I have tried to face up to the so-called contradictions in that position.

I am simply asking, Mr. Minister, if you, in consultation with the commission, would seriously consider the proposal I made. You have the resources, you have the skills, to do it. There is no doubt it can be done. It would be a clear and positive warning that people in Ontario who put forward those views do so in direct opposition to what the democratically elected government stands for.

I am quite certain you would get the support of people in the city of Toronto. I think you would have the support of people throughout the rest of the province. I think we can afford the dollars to do it.

Mr. Van Horne: "Take the leadership" is what you are saying. If they face up to it, that's one thing, but taking the leadership and doing something is something else—if I understand the plea that Mr. Renwick is not only making now but that he has made many times over. You have the mandate as a government. For goodness' sake, get on with it. Is that the bottom line of your message, Mr. Renwick?

Hon. Mr. Elgie: I think the message in the total context is that the commission has responded and continues to respond on a daily basis. The issue Jim Renwick is putting forward is should more be done in terms of advertising campaigns and otherwise to have the commission put itself on the line publicly in a different way than it is doing now—because it is doing so now.

As I have indicated, I think it is very appropriate for the commission to discuss that recommendation and then review it with me in the light of its decision.

By the way, let me make something very clear, and I know you would say this too. I do not think any of this implies that any of us

adhere to the thought that racial biological superiority exists. It is a nonexistent thing as far as I am concerned.

Mr. Renwick: There is no question about that.

Hon. Mr. Elgie: Nobody is suggesting we have any differences of view about it.

Mr. Renwick: No, none at all.

Before I go on, I assume the human rights commission—and the Solicitor General, I hope—collects this damned literature that goes around.

I want to move on to what happened during the last municipal campaign with reference to the gay community and the problems involved. I am indebted to some people for making sure I have a reasonable selection of the literature involved.

Mr. Bounsall: Before you do, could I ask one supplementary on the Ku Klux Klan situation?

Some three or four years ago in Windsor there was some anti-French literature distributed. The police managed to find out who did it and bring the people to justice. It worked out that it was a French person who was trying to stir up the French community, but none the less he went to trial over it.

Here we have this literature being distributed by the Ku Klux Klan. I say this, I suppose, more to the government than to the human rights commission, because the commission does not have the police authority, but what is being done to actually track down these people and lay charges? This is clearly literature which contravenes the provisions of our code.

Where is the commitment to follow it up and where are the charges when any of that literature gets distributed? Does the human rights commission have sufficient lines into the community or some sort of investigatory powers that can assist in that whole process? Why is this process not being very vigorously followed and people actually brought to trial?

Hon. Mr. Elgie: Fortunately, as Mr. Renwick mentioned, the Solicitor General's estimates start tomorrow. I think you will acknowledge that he has been pretty public in his views about the Klan. He may be able to elaborate in greater detail as to what is happening, but you know he ordered an investigation into the possibility of laying charges. I do not have the results of that investigation. That is information you can get from him tomorrow in his estimates. And you should.

Mr. Bounsall: Just let me make one comment. The distribution by the Klan here in Toronto has been more widespread and continuous than that one distribution in Windsor of rather

limited geographical coverage and time; yet they managed to succeed in that prosecution down there. Why have we not managed to succeed here with respect to the Klan's activities?

Hon. Mr. Elgie: You can ask him that at his estimates.

Let's be very clear; privately and publicly his views are very well known. If there is any suggestion that he is pursuing it with a degree of vigour that you do not approve of, then I take exception to that because I know him and I know his views. You can talk to him tomorrow in estimates about the legal matters with which he has been presented and what steps, if any, he is taking to deal with it.

Mr. Renwick: Mr. Chairman, I will not go on at the same length on this next question.

I was spiritually sick at what happened during the municipal campaign in Toronto with respect to the attack on what is known as the gay community and with respect to the attack made on political representatives because of their association with the gay community. I really want to know whether or not the human rights commission has collected the literature which was circulated, and whether it has given any consideration to its response to that kind of literature.

As I said, tomorrow, if at all possible, I am going to raise the question of prosecution and hate literature with the Solicitor General. I have no idea who the various people are who are behind some of this rubbish to which we have been subjected, but its intrusion into the political process in the municipal election is one of the worst things that has happened in the city of Toronto for a long time.

This particular document has as its address, as usual, a post office box: "The League Against Homosexuals is a registered nonprofit organization seeking co-operation and/or amalgamation of any or all individuals and organizations concerned with the welfare of all children." Fortunately, Mr. Chairman, it does not appear to say that contributions are deductible for tax purposes. "Queers do not produce, they seduce."

"Questions for today's parents and future parents: Do you want your children taught by queers," et cetera. "Does our society need queers? Who supports queers?" And so on and so forth.

"Here are the answers to the questions. Some facts about queers: Queers are against God and the Christian Bible. Queers are against humanity. Queers are against every race and religion." Et cetera.

It poses the same problem. Our response generally is, "Oh, well, that is a fringe group that says that and they are crazies, so we do not need to pay any attention to them." The other response is, "We do not quite know how to deal with the question raised by this kind of literature."

6 p.m.

I come again to the same proposition. Has the human rights commission commissioned a sociological, in-depth study about what occurred during the municipal election in the city of Toronto in the year 1980—certainly the universities are equipped to do that kind of in depth study—so that we get some sense of the psychology that is motivating and driving people?

Secondly, are you engaged in any counter-campaign to restore an appropriate balance to the discussion which has to go on in a society with changing mores and changing attitudes, so that we get some sense of balance, or is it going to be forever this way, that way—a very erratic pattern of behaviour?

Is there, again, any positive response that can be made by the commission—positive response—on an ongoing basis with respect to this kind of activity in a democratic society during a municipal election? This kind of nonsense is really quite unbelievable—and the people who support it.

Mr. R. F. Johnston: It does have a charitable number, by the way.

Mr. Renwick: Does it? Contributions are deductible for tax purposes. Yes, "a registered Canadian charity."

"This is on behalf of Metro's Moderate Majority, a registered Canadian charity propagating the values and philosophy of our Judaeo-Christian heritage, the foundation of a free and responsible society." Box 100, Milton, Ontario. The registered number is there.

I want to say this very carefully. I only say it carefully because I do not want to malign anyone. My concern is that in ways that are quite unbelievable some of the religious denominations in the city were parties to the distribution of this kind of—shall I say "literature?"—the message that was being conveyed.

Everyone has his or her feelings about different groups in this society. We can pretend in some way that we all have identical feelings about everybody, but that is not the way society works.

What they are trying to say is that we permit, in the course of a democratic election, an attack on a particular group in the community that, in theory, is identifiable because of its sexual

orientation, to use the language which has become popular to describe the gay community.

That kind of attack, Mr. Chairman—and I say it also to the chairperson of the Ontario Human Rights Commission—is again totally opposed to our basic values. I say to the commission, what are you doing? What can you do?

I threw out a couple of off-the-cuff suggestions about what can be done. Is there a positive response? Has the commission met, for example, to deal with this question, to say: "This is what we are going to do. These are the ramifications of it. This is what we have to do"? I do not denigrate academic studies, if an academic study is justified as part of a program.

My remarks, again, are in the form of a rhetorical question, but I would like the response of the commission to this kind of question.

Dr. Crittenden: Mr. Renwick, you are posing a—

The Vice-Chairman: Excuse me, Dr. Crittenden. We have a vote in the House immediately. I suggest that we come back immediately after the vote. We had until 6:20 to wind up this vote.

Mr. Renwick: Could you perhaps give Dr. Crittenden just a few minutes to respond?

The Vice-Chairman: We sent up a messenger to find out when the vote was going to take place and the whips say—

Mr. Renwick: They will not vote without us.

Dr. Crittenden: Mr. Renwick, I will be very brief.

The Vice-Chairman: Excuse me. I am in the committee's hands.

Mr. Roy: Why don't we come back at eight?

The Vice-Chairman: We have 15 minutes to clear up this whole matter. Could we get an assurance that the whips will come down and get us? Would that be the best thing to do?

Mr. Renwick: I would think so.

The Vice-Chairman: Is that agreed?

Mr. Renwick: If the clerk went up and told the New Democratic Party whip that Mr. Johnston, Mr. Bounsall and I will be there in five minutes, I am sure—

Hon. Mr. Elgie: If you do not mind, I would like him to speak to all three whips. I am sure you will not object to that.

Mr. Renwick: No.

Hon. Mr. Elgie: Have you done that already?

Clerk of the Committee: I spoke to Mr. Gregory. He was the only one I could find.

Hon. Mr. Elgie: What did he say?

Clerk of the Committee: He said the vote was very shortly.

Hon. Mr. Elgie: I am happy to come back after the vote, and I think any other member is, for the period of time that is left.

Mr. Renwick: I was anxious to have Dr. Crittenden's response because I have to be in my riding very soon.

Dr. Crittenden: I will speak as rapidly as I can. We are just shocked by what happened in that election—there is no doubt about that—but we are being used. Attempts have also been made to use us, and we are supposed to be looking at both sides of what has been happening.

Your suggestion about a study is probably as good a way as any to get both sides of it, but there are at this time complaints lodged with the commission by the Moral Majority. We cannot refuse to take the complaints, but after they are examined—our staff has to go to all the trouble of going to see the respondents to see what the situations were.

I am merely saying that I am afraid we are going to see more of this sort of thing where the Moral Majority is now using us to attack other groups. We have to investigate.

I think a study is the only alternative, or the only answer. I would certainly go with that right away because I think the situation is going to deteriorate rapidly.

Mr. R. F. Johnston: Could I carry on with this for Mr. Renwick afterwards, when we come back?

The Vice-Chairman: I am in your hands now. I have sent the clerk up to see if the whips will come down and get us for the vote. We have approximately 17 or 18 minutes left.

Mr. Renwick: I do not want to take up too much time. Other members may want to comment. Mr. Johnston wanted to comment too. I think it is absolutely essential that the commission meet and thrash this out as to what it is going to do.

I agree, one of the things you can do is commission a study. That is all right. But that is no substitute for the commission, even if it takes two, three or four meetings, sorting the thing out in order to come up with a clear position. Otherwise you will be log-rolled by both sides, as you indicate you are. That is exactly why the responsibility is on the commission to understand what it is and to come up with a clearcut response to what has happened.

The Vice-Chairman: I wonder if we could have an agreement. We have something like 16 minutes left and I have two speakers on the list, Mr. Johnston and Mr. Roy. Can we reach some kind of an agreement to split that time to finish this?

Mr. Johnston?

Mr. R. F. Johnston: There are two things I would like to follow up on. Do you have copies of all this material?

Dr. Crittenden: No. I was going to ask Mr. Renwick for it, but he left.

Mr. R. F. Johnston: We can make copies of everything we have. We are short a couple of pieces.

I live in the Beaches area, and in the last four days of that campaign I had four different pieces of literature come through my door from the various groups that are here, and they are all represented in the package Mr. Renwick has. Some of it even came packaged inside the Globe and Mail. It was done very systematically and in a very well organized way.

There were also petitions that were processed in a lot of cases by churches in the city of Toronto.

The Vice-Chairman: Mr. Johnston, I am sorry to interrupt. We do not have an agreement to have the vote held for us. We must go now.

I am in your hands. We have 15 minutes left. Would you like to adjourn for the vote, then return and clean up this matter and this vote?

Mr. Roy: I cannot come back afterwards. We only have, what, 15 minutes left?

The Vice-Chairman: That is all. Yes, 15 minutes.

Mr. Watson: Shall I try moving the vote?

The Vice-Chairman: I am in your hands. We could move the vote, if you like.

Mr. Watson: And these people can have a discussion about whatever they want?

Mr. R. F. Johnston: I have a separate matter I was going to raise about diabetics.

Mr. Roy: If you can come back, why don't you come back?

Mr. R. F. Johnston: I can come back.

Mr. Roy: I can't, so—

The Vice-Chairman: After the vote?

Mr. R. F. Johnston: Either way. Either right after the vote or tonight. Either is fine with me.

The Vice-Chairman: We will adjourn until immediately after the vote then.

The committee recessed at 6:10 p.m. for a vote in the House and resumed at 6:23 p.m.

On resumption:

Mr. R. F. Johnston: Dr. Crittenden, I understand you cannot tell us a great deal at this point about the cases that are being brought to you by the Moral Majority, but can you give me any idea of the nature of the complaints they are bringing forward?

Dr. Crittenden: Newspapers will not take their ads—things like that.

Mr. R. F. Johnston: Has there been anything specifically directed towards members of the Toronto board, which is the one that has come under the most fire, or anything like that?

Dr. Crittenden: No.

Mr. R. F. Johnston: Has it always been third party kinds of things?

Dr. Crittenden: Yes.

Mr. Bounsall: Could I ask a supplementary? Do they suggest to you that the question of newspapers not taking their ads is a bias against a religious group? Is that how they get you to investigate it?

Dr. Crittenden: No, it is the validity of ads being turned down. It is that kind of thing, newspapers turning down ads.

Mr. R. F. Johnston: From their point of view I think that is a valid thing to have investigated. Any group that feels it is not getting a legitimate ad accepted should have the right to bring that before you. I do not see that as necessarily putting you in too much of a conundrum as far as an investigation of some of the other sides of this is concerned.

What particularly interests me in this whole matter is the organization. Mr. Hoy said I was just jealous that we were not able to get as many pieces around in the last three days in that ward as this group did.

That actually points up an interesting side of this group. There are several names involved: Renaissance International, Concerned Citizens' Action Committee for the Safety of Children, Positive Parents, the League Against Homosexuals, and others. What concerns me is that they work in concert very effectively, it seems to me.

The connection of the churches in terms of taking around some of this literature also concerns me a great deal. I have seen some fund-raising vouchers mailed out in what obviously must be a church-oriented magazine of some sort. The address label seems to have part of a printout from a subscription list on it, asking for money, donations to this campaign.

I forget what the term is, but it has a religious connotation to it. It is something like, "As God enables, I will give so much a month to this particular cause." A number of the petitions accumulated by some of these groups and brought forward in September to the board came through the churches.

I think there should be some kind of an investigation of the interconnections of both the organizations and the extreme right. I would include seeing if there are any connections

between organizations like the Klan and these groups.

There is a need to know where the money comes from. I think it would be really interesting to have that investigated. I do not know what the best route to do that is, whether it is, as Mr. Renwick suggested, in terms of an academic, sociological kind of paper.

I know there has never been in our politics up to this date such an organized group on this kind of an approach. Even the abortion issue as a specific issue was never dealt with, at least not in the Beaches area, as systematically as this was in the last campaign. Even then I did not find that the abortion campaign was done with the kind of vitriolic nature with which this has been done.

I am really worried about that as a trend in our politics in the future, and I wonder if there is any possibility of an investigation being undertaken through the commission.

Dr. Crittenden: I would like to say I do not think we have the resources to do that kind of an investigation. I think we might very well ask the Attorney General or the Solicitor General if he can find these registration numbers. You have identified some and I can give a couple more names, but I do not know the connection between them and I do not know how many of the same people have membership in the different groups. I do not think there is any way we in the human rights commission can get that. We could assist any other legal agency with what information we may have.

You mentioned a couple of names I have not heard before and I know a couple more names you did not mention. It seems to me we are identifying something that is happening but we do not have enough information. I think there is probably another agency that could more appropriately get this information.

Mr. R. F. Johnston: One of the things this Mr. Stew Newton, whose name comes up a fair amount, claims is that he is representing over 20,000 citizens. I have seen those petitions on which he is basing that 20,000 figure, and it is fascinating to see where they come from.

I would say the majority of the names are not from Metro at all. There are all sorts of them from around the province, with an especially large number from Mississauga—I do not know what that means—but also some from outside the province. I am really interested to know what the network was that got the whole thing rolling and I figure that bears some investigation.

Dr. Crittenden: I wonder if there is a connec-

tion between the Moderate Majority and the Moral Majority. We cannot tell whether the same distribution system and the same method is being used for funds as has been used in the United States by the Moral Majority. We have no way of finding that out.

Mr. R. F. Johnston: I think it is probably the kind of thing Mr. Renwick will want to pursue with the Solicitor General tomorrow in terms of the specific nature of some of the information coming out.

Hon. Mr. Elgie: Whether it constitutes hate literature or not, you mean?

Mr. R. F. Johnston: That's right, essentially, and, therefore, what kind of an investigation might be undertaken. Parts of it, I think, could be seen not as hate literature but as merely a point of view. I would say that some of the words used, like "totalitarianism," about certain individuals involved might be construed to be that.

6:30 p.m.

The only other thing I want to raise is totally different from this area, and it was raised with you the other day in the House by the member for Wentworth North, Eric Cunningham. It has to do with diabetics. Mr. Cunningham raised the specific case of the hiring policy of Brewers' Retail. In Toronto—and it's the same in St. Catharines and Hamilton—to get a full-time job with Brewers' Retail now you have to go through a pool system.

I have a young man in my riding named Ray Hardiment, who is a diabetic, who was eligible to be in the pool. He has that class D driving licence which is one of the criteria for going into the pool.

I do not want to raise the matter of the driving, because I think, from my reading of the new bill from Mr. Snow, that it will cover that or at least allow him to appeal. I have some real concerns because a lot of it is going to be handled through regulation, and not through the bill itself.

My concern has more to do with the whole hiring practice. To get a job in a warehouse with Brewers' Retail now, you have to go through the pool, and to get into the pool you have to have the licence. Even if you are never going to drive, you have to have this licence. Therefore, a diabetic cannot even get himself a job in a warehouse at the moment because of that hiring system.

One of the things I was told in the Hardiment case has to do with the seniority factor at Brewers' Retail. He was in the A pool for a short time. There were 12 people in the pool and he has now been passed over by five of them. For

quite a period of time, the last number of months, the union has been appealing this, and it has been losing its appeals. It is taking it to the last arbitration, I think, this next week coming up.

A number of people have received full-time jobs and, as far as I know, none of those people has been hired to drive. What I understand is that he would not be hired as a driver immediately. He would become, if anything, a driver's helper, which would mean that he would take over from a driver, for instance, in parking the truck on occasion at a store but he would not be able to drive. He might not become a full-time driver for as many as 10 years with the whole seniority structure. Also, at the same time he is not even able to get himself a job in a store or a job in a warehouse because he has to go through the A pool in order to be hired.

You said in the House the other day, making your statement as a doctor, that you are well aware that simply because one has diabetes does not mean one should be excluded from driving a car. There is that whole question about his eligibility to drive a truck in the future and whether or not that would be allowed. He does have a class D licence which he had before he was diagnosed, which would be taken away from him under the present system, as I understand it.

I got a letter from his doctor which backs up what you were saying. As a juvenile diabetic he is very well controlled and there are no problems at all. This is not even a case of driving kids in a school bus or anything like that. Maybe in the next 10 years he would park a truck on occasion for Brewers' Retail, if he actually got that kind of a job. But he has been excluded from getting into the whole system, and, I think, therefore, he has lost money.

He is a very responsible young guy. He got great recommendations, right up to the point when somebody in management—up higher, not his supervisor who was pushing him into the pool—said, "No, he is a diabetic." From that point on he was cut out. I think he has lost money over the last number of months because under normal seniority conditions he would be working some place at this point.

I wonder if you would still look into the matter of diabetics and employment that was raised by Mr. Cunningham, regardless of Mr. Snow's bill. With the way we are stacking bills at the moment, we do not know whether or not Mr. Snow's bill is going to get through before

Christmas—I hope it does—and we do not know when the regulations will come into effect, and it will be affecting people in the meantime. I am quite concerned that something like diabetes is dealt with as strictly as the company seems to be dealing with it in this case.

Hon. Mr. Elgie: I must say my interpretation of the Snow bill is the same as yours. I think the right of appeal is there, and I support that. I will have to reread it, but certainly that is my understanding of the bill.

If you have a chance tonight to glance at the revised Ontario Human Rights Code, I think you will agree that the criterion there would be whether or not a diabetic was able to perform the essential functions of the job, and to disqualify him on any other basis would be contrary to the bill.

You probably know as well as I do that what has happened is that the reality has not caught up with medical practice. It used to be that juvenile diabetics were getting regular insulin, three or four shots a day, and they were just up and down like yo-yos. Consequently, the complications that follow from diabetes came on much earlier. Now, with the use of the longer-term insulin treatment, those complications are delayed and in many cases people live normal lives. I think they have to be considered individually.

I am continuing to look at that case that Eric Cunningham raised, and I think we address the issue specifically here in this bill.

The Vice-Chairman: The time has expired for these estimates.

Mr. R. F. Johnston: Is there any grandfathering for someone like this who, at the moment, is unjustly caught in the system in terms of his ability to get promoted, or to get a full-time job in this case?

Hon. Mr. Elgie: I will be glad to think about it and talk to you about it, but grandfathering has problems, as you know—where you stop in going back, et cetera.

Mr. R. F. Johnston: Absolutely, but if there is an injustice I would hope we could go back.

Hon. Mr. Elgie: You will not get any argument from me that it is inappropriate in the light of today's method of treating diabetics.

Vote 2407 agreed to.

The Vice-Chairman: This concludes the estimates of the Ministry of Labour.

The committee adjourned at 6:36 p.m.

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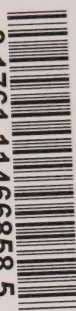
SPEAKERS IN THIS ISSUE

- Bounsall, E. J. (Windsor-Sandwich NDP)
- Elgie, Hon. R.; Minister of Labour (York East PC)
- Gaunt, M.; Chairman (Huron-Bruce L)
- Johnston, R. F. (Scarborough West NDP)
- Kerrio, V.; Vice-Chairman (Niagara Falls L)
- Lupusella, A. (Dovercourt NDP)
- Renwick, J. A. (Riverdale NDP)
- Rowe, R. D.; Acting Chairman (Northumberland PC)
- Roy, A. J. (Ottawa East L)
- Van Horne, R. (London North L)
- Watson, A. N. (Chatham-Kent PC)
- Wildman, B. (Algoma NDP)

From the Ministry of Labour:

- Armstrong, T. E., Deputy Minister
- Crittenden, Dr. D., Chairman, Ontario Human Rights Commission
- Heath, A. D., Director, Standards and Programs Branch
- McCrodan, P. B., Director, Mining Health and Safety Branch
- McNair, J., Director, Industrial Health and Safety Branch
- Robinson, Dr. A., Assistant Deputy Minister, Occupational Health and Safety Division
- Ubale, Dr. B., Race Relations Commissioner, Ontario Human Rights Commission

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